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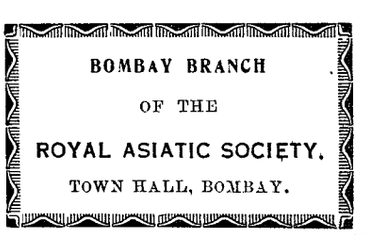
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Historical Collections.

The Third Part:

Volume the Second.

Containing the

PRINCIPAL MATTERS

Which happened from the

MEETING of the PARLIAMENT,

November the 3d. 1640.

To the End of the YEAR, 1644.

Wherein is a particular Account of the Riſe and Progreſs of the CIVIL WAR to that Period:

IMPARTIALLY RELATED.

Setting forth only **Matter of Fact in Order of Time,** Without *Obſervation* or *Reflection*

By *JOHN RUSHWORTH* late of *Lincolns-Inn*, Eſq;. Fitted for the Preſs in his Life-time.

LICENSED, *Novemb.* 11. 1691.

LONDON,

Printed for **Richard Chiſwell** and **Thomas Cockerill**, at the *Roſe* and *Crown* in St. *Pauls* Church-yard, and at the *Three Legs* over-againſt the *Stocks-Market*. MDCXCII.

1692

18 *Caroli.*

A CONTINUATION OF Historical Collections

September the 2d, 1642.

PART III. VOL. II.

An Ordinance of the Lords and Commons concerning Stage-Plays.

Against Stage Plays, *Sept.* 2. 1642.

WHEREAS the diſtreſſed Eſtate of *Ireland*, ſteeped in her own Blood, and the diſtracted Eſtate of *England* threatned with a Cloud of Blood by a Civil War, call for all poſſible Means to Appeaſe and Avert the Wrath of God appearing in theſe Judgments: Amongſt which Faſting and Prayer having been often tried to be very effectual, have been lately, and are ſtill enjoyned: And whereas publick Sports do not well agree with publick Calamities, nor publick Stage-Plays with the Seaſons of Humiliation, this being an Exerciſe of ſad and pious Solemnity, and the other being Spectacles of Pleaſure, too commonly expreſſing laſcivious Mirth and Levity. It is therefore thought fit, and Ordained by the Lords and Commons in this Parliament aſſembled, That while theſe ſad Cauſes and Set-times of Humiliation do continue, publick Stage-Plays ſhall ceaſe and be forborn. Inſtead of which are recommended to the People of this Land, the profitable and ſeaſonable Conſiderations of Repentance, Reconciliation and Peace with God, which probably may produce outward Peace and Proſperity, and bring again Times of Joy and Gladneſs to theſe Nations.

TT. b. 15

An. 1642.

A Declaration of the Lords and Commons in Parliament, in Anſwer to his Majeſty's Meſſage.

A Declaration of the Lords and Commons in Anſwer to his Majeſty's Meſſage.

WHereas his Majeſty in a Meſſage Received the Fifth of *September*, Requires that the Parliament would *Revoke their Declarations* againſt ſuch Perſons as have Aſſiſted his Majeſty in this unnatural War againſt his Kingdom; It is this day Ordered and Declared by the Lords and Commons, That the Arms which they have been forced to take up, and ſhall be forced to take up, for the Preſervation of the Parliament, Religion, the Laws and Liberties of the Kingdom, ſhall not be laid down until his Majeſty ſhall withdraw his protection from ſuch Perſons as have been Voted by both Houſes to be Delinquents, and ſhall leave them to the Juſtice of the Parliament, to be proceeded with according to their Demerits, to the end that both this and ſucceeding Generations may take warning with what Danger they incur the like heinous Crimes. And alſo to the end that thoſe great Charges and Damages wherewith all the Commonwealth hath been burthened in the Premiſſes, ſince his Majeſties Departure from the Parliament, may be born by the Delinquents, and other Malignant and Diſaffected Perſons. And that all his Majeſty's good and well-affected Subjects, who by Loan of Moneys, or otherways, at their Charge, have aſſiſted the Common-wealth, or ſhall in like manner hereafter aſſiſt the Commonwealth, in time of extream Danger, may be repayed all Sums of Money by them lent for thoſe purpoſes, and be ſatisfied their Charges ſo ſuſtained, out of the Eſtates of the ſaid Delinquents, and of the malignant and diſaffected Party in this Kingdom.

Ordered by the Lords and Commons in Parliament, that this Declaration be forthwith printed and publiſhed.

Hen. Elſyng. Cler. Parl. D. Com.

His Majeſties Meſſage in Reply to the Anſwer and Humble Petition of both Houſes of Parliament.

His Majeſties Reply to the Anſwer and humble Petition of both Houſes of Parliament. *Sept.* 11. 1642.

WHO have taken moſt Ways, uſed moſt Endeavours, and made moſt real Expreſſions to prevent the preſent Diſtractions and Dangers, let all the World judge, as well by former Paſſages, as by our laſt two Meſſages, which have been ſo fruitleſs, that though we have deſcended to deſire and preſs it, not ſo much as a Treaty can be obtained, unleſs we would denude our ſelf of all Force to defend us from a viſible Strength marching againſt us; and admit thoſe Perſons, as Traytors to us, who according to their Duty, their Oaths of Allegiance, and the Law, have appeared in Defence of us their King and Leige Lord, whom we are bound in Conſcience and Honour to preſerve, though we Diſclaimed all our Proclamations and Declarations, and the Erecting of our Standard, as againſt our Parliament; all we have now left in our power, is to expreſs the deep ſence we have of the publick Miſery of this Kingdom, in which is involved that of our di-

18 *Caroli.*

diſtreſſed Proteſtants of *Ireland*, and to apply our ſelves to our neceſſary Defence, wherein we wholly rely upon the Providence of God, the Juſtice of our Cauſe, and the Affection of our good People. So far we are from putting them out of our Protection. When you ſhall deſire a Treaty of us, we ſhall piouſly remember whoſe Blood is to be Spilt in this Quarrel, and cheerfully Embrace it. And as no other Reaſon induced us to leave our City of *London*, but that with Honour and Safety we could not ſtay there, nor have we raiſed any Force, but for the neceſſary Defence of our Perſon and the Law, againſt Leavies in Oppoſition to both, ſo we ſhall moſt ſuddenly and willingly return to the One, and Disband the Other as ſoon as thoſe Cauſes ſhall be removed. The God of Heaven direct you, and in Mercy divert thoſe Judgments which hang over this Nation; and ſo deal with us and our Poſterity, as we deſire the Preſervation and Advancement of the true Proteſtant Religion, the Law, and the Liberty of the Subject, the juſt Rights of Parliament, and the Peace of the Kingdom.

To the King's moſt Excellent Majeſty.

The humble Anſwers of the Lords and Commons in Parliament Aſſembled, to his Majeſty's laſt Meſſage of the 11*th of* September 1642.

May it pleaſe your Majeſty;

The two Houſes Anſwer, Adviſing his Majeſty to come back to his Parliament, *Sept.*16. 1642.

WE the Lords and Commons in Parliament Aſſembled, do preſent this our humble Anſwer to your Majeſty's Meſſage of the 11th of this inſtant Month of *September*, when we conſider the Oppreſſions, Rapines, Firing of Houſes, Murthers, even at this Time *when your Majeſty propounded a Treaty*, committed upon your good Subjects, by your Soldiers, in the Preſence and by the Authority of their Commanders, being of the number of thoſe whom your Majeſty holds your ſelf bound in Honour and Conſcience to protect, as Perſons doing their Duties, we cannot think that your Majeſty hath done all that in you lies to prevent and remove the preſent Diſtractions, *nor ſo long as your Majeſty will admit no Peace, without ſecuring the Authors and Inſtruments of theſe Miſchiefs, from the Juſtice of the Parliament*, which yet ſhall be ever diſpenced with all requiſite Moderation and Diſtinction of Offences, although ſome of thoſe Perſons be ſuch, in whoſe Preſervation your Kingdom cannot be ſafe, nor the unqueſtionable Rights and Priviledges of Parliament be maintain'd, without which the Power and Dignity thereof will fall into Contempt: We beſeech your Majeſty therefore to conſider your Expreſſions, *That God ſhall deal with you and your Poſterity, as your Majeſty deſires the Preſervations of the juſt Rights of Parliament*, which being undeniable in the thing, of ſuch as we have declared to be Delinquents, we ſhall believe your Majeſty, both towards your ſelf and Parliament, will not in this Priviledge we are moſt ſenſible of, deny us that which belongs to the meaneſt Court of Juſtice in this Kingdom. Neither hath your Majeſty cauſe to Complain that you are denied a Treaty, when we offer all that a Treaty can produce, or your Majeſty expect, Security, Honour, Service, Obedience, Support, and all other Effects of humble, loyal, and faithful Subjection, and ſeek nothing but

An. 1642.

that our Religion, Liberty, Peace of the Kingdom, Safety of the Parliament, may be ſecured from the open Violence and cunning Practices of a wicked Party, who have long plotted our Ruin and Deſtruction. And if there were any Cauſe of Treaty, *we know no competent Perſons to Treat betwixt the King and Parliament:* And if both Cauſe and Perſons were ſuch as to invite a Treaty, the Reaſon is altogether unfit, whilſt your Majeſty's Standard is up, your Proclamations and Declarations unrecalled, whereby your Parliament is charg'd with Treaſon.

If your Majeſty ſhall perſiſt to make your ſelf a Shield and Defence to thoſe Inſtruments, and ſhall continue to Reject our faithful and neceſſary Advice of Securing and Maintaining Religion and Liberty, with the Peers of the Kingdom and Safety of the Parliament, we doubt not but to indifferent Judgments it will appear, who is moſt tender of that Innocent Blood which is like to be ſpilt in this Cauſe, your Majeſty, who by ſuch perſiſting doth endanger your ſelf, and your Kingdoms; or we, who are willing to hazzard our ſelves to preſerve both. We humbly beſeech your Majeſty to conſider, how impoſſible it is that any Proteſtations, though publiſhed in your Majeſty's Name, of your Tenderneſs of the *Miſeries of your Proteſtant Subjects in* Ireland, *or your Reſolution to Maintain the Proteſtant Religon and Laws of this Kingdom*, can give Satisfaction to reaſonable and indifferent Men, when at the ſame time divers of the *Iriſh* Traitors and Rebels, the known Favourers of them, and Agents for them, are admitted to your Majeſty's Preſence with Grace and Favour, and ſome of them Employed in your Service, when the Cloaths, Munition, Horſe and other Neceſſaries bought by your Parliament, and ſent for the Supply of the Army againſt the Rebels there, are violently taken away, ſome by your Majeſty's Command, others by your Miniſters, and applied to the Maintenance of an unnatural War againſt the People here.

All this notwithſtanding, as we never gave your Majeſty any juſt Cauſe for withdrawing your ſelf from your great Councel, ſo it hath ever been, and ſhall ever be far from us, to give any Impediment to your Return, or to neglect any proper Means of Curing the Diſtempers of the Kingdom, and Cloſing the dangerous Breaches betwixt your Majeſty and your Parliament, according to the Great Truſt which lies upon us: And if your Majeſty ſhall now be pleaſed to *come back to your Parliament* without your Forces, we ſhall be ready to Secure your Royal Perſon, Crown and Dignity, with our Lives and Fortunes, your Preſence in this great Councel being the only Means of any Treaty betwixt your Majeſty and them, with hope of Succeſs.

And in none of our Deſires to your Majeſty, ſhall we be ſwayed by any particular Man's Advantage, but ſhall give a clear Teſtimony to your Majeſty and the whole World, That in all things done by us, we faithfully intend the Good of your Majeſty, and of your Kingdom, and that we will not be diverted from this End by any Private or Self-reſpects whatſoever.

Septemb. 16. 1642.

Ordered by the Lords in Parliament, That this Anſwer ſhall be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

His

18 *Caroli.*

His Majeſties Declaration *to all his Loving Subjects, upon Occaſion of his late Meſſages to both Houſes of Parliament, and* their refuſal to Treat *with him for the Peace of the Kingdom.*

The Kings Declaration that the Parliament refuſe a Treaty, *Sept.* 27. 1642.

IF it had not evidently appeared to all Men, who have carefully Examined and Conſidered our Actions, Meſſages and Declarations, how far we are, and have been, from begetting or promoting the preſent Diſtractions, and that the Arms we have now taken, are for the neceſſary Safety and Defence of our Life, being not taken up by us, *till our Town and Fort of* Hull *were kept from us by Force of Arms*, our Navy imployed againſt us to keep off all Forreign Supply of Arms and Money, when our own here was ſeized and detained from us, and an Army raiſed in Pay, and marching againſt us, yet the late Reception of our Meſſage of the 25th of *Auguſt*, ſent by Perſons of *Honour* and *Truth*, will ſurely ſatisfie the World, that we have omitted nothing on our part, that a Gracious and Chriſtian Prince would, or can do, to prevent the Effuſion of Chriſtian Blood, but that the maligniant Party, which have with great Subtilty and Induſtry, begot this Miſ-underſtanding between us and our good Subjects, reſolve to ſatisfie and ſecure their Malice and Ambition with the Ruin of the Kingdom, and in the Blood of us, and all our good Subjects.

When they had forced us, after the Neglect of our Meſſage, from *Beverly*, by raiſing a great Army, and incenſing our Subjects againſt us, to Erect our *Royal Standard*, that our Subjects might be Informed of our Danger, and Repair to our Succour, though we had no great reaſon to believe any Meſſage of ours would receive a very good Entertainment, if thoſe Men might prevail, who had brought all theſe Miſeries upon the Kingdom to ſatisfie their own private Ends; yet obſerving the miſerable Accidents which already befell our good Subjects by the Soldiers under their Command, and well knowing that greater would enſue, if timely prevention were not applied; And finding that the Malice and Cunning of theſe Men had infuſed into our People a Rumour, That we had rejected all *Propoſitions* and Offers of Treaty, and deſired to Engage our Subjects in a *Civil War, which our Soul abhors*, we prevailed with our ſelf (for a full Expreſſion of our Deſire to prevent the Effuſion of Blood) to ſend a gracious Meſſage to both Houſes of Parliament on the 25th of *Auguſt*. [Which Meſſage you have before *Vol.* 1.] But our Meſſengers were not ſuffered to ſit in the Houſes; and one of them, the Earl of *Southhampton* (againſt whom there was not the leaſt Colour of Exception, or ſo much as a Vote) not ſuffered to deliver our Meſſage, but compelled to ſend it by the Gentleman-Uſher, and then commanded to depart the Town, before they would prepare any Anſwer, which they ſhortly ſent us. [Which Anſwer you have before, *Vol.* 1.]

Which ſtrange Anſwer might well have diſcouraged us from any thought of proceeding further this way, and informed us ſufficiently what Spirit ſtill governed amongſt thoſe few, who continued ſtill in both Houſes, otherwiſe, after ſo many bitter and invective Meſſages and Declarations ſent to us, and publiſhed againſt us, we ſhould not have been reproached with our Proclamations and Declarations ſet forth by

An. 1642. by us, as the Effect of ſuch Evil Counſel as was unparallel'd by any former Examples. We believe indeed ſuch Proclamations and Declarations have never been before ſet forth; but were former times ever acquainted with ſuch intolerable Provocations? Were there ever before theſe Twelve-months, Declarations publiſhed in the Name of either, or both Houſes of Parliament to make their King odious to the People? Have either, or both Houſes, ever before aſſumed or pretended to a power to raiſe Arms, or leavy War in any Caſe; or can both Houſes together exerciſe ſuch a power? Are thoſe Actions, which the Law hath defined litterally and expreſly to be *Treaſonable*, or ſuch Perſons to be *Traytors*, not ſo, becauſe they are done by Members of either Houſe, or their Appointment? And muſt not we Declare ſuch, who march with Arms and Force to deſtroy us, to be Traytors, becauſe the Earl of *Eſſex* is their General? Thoſe whom we have, or do Accuſe, we have named, together with their Crimes, notorious by the known Law of the Land, (a Favour not granted to our Evil Counſellors) and Appeal to that known Law to Judge between us. And now that by this we ſhould have put the whole Kingdom *out of our Protection* (in whoſe behalf we do all that we have done) is a corrupt Gloſs upon ſuch a Text, as cannot be perverted but by the cunning Practices of ſuch who wiſh not well to King or People. Yet that no weak Perſons might be miſled by that Imputation upon us, we ſent a *Reply* to that Anſwer.

This Meſſage produced an Anſwer little differing from the former; like Men who had no other meaſure of the Juſtice of their Cauſe, then their Power to Oppreſs us, forgetting their own Duties, they ſharply inform us of ours, [which Anſwer you had *fol.* 2.] without any bitterneſs or apprehenſion of their Neglect of us, and the Publick Peace. To expreſs our deep ſenſe of the Calamities at hand, we yet once more (hoping to awake them to a Chriſtian Tenderneſs towards the whole Kingdom, ſent to them another Meſſage, [as you had it in *fol.* 2.]

But as if all theſe gracious Meſſages had been the Effects only of our Weakneſs, and Inſtances of our want of Power to reſiſt that Torrent, they deal at laſt more plainly with us, and after many ſharp, cauſleſs, and unjuſt Reproaches, they tell us in plain Engliſh, That without putting our ſelf abſolutely into their Hands, and deſerting all our own Force, and the Protection of all thoſe who have faithfully appeared for us, according to their Duty, there would be no means of a Treaty, although an extraordinary Deſire of Peace had prevailed with us, to offer to recall our moſt juſt Declarations, and to take down our Standard, ſet up for our neceſſary Defence, ſo their unjuſtifiable Declarations might be likewiſe recalled. Their Anſwer you had in *Folio* 3.

They will not believe we have done all that in us lies to prevent and remove the preſent Diſtractions, becauſe of the Oppreſſions, Rapines, and the like, committed upon our good Subjects by our Soldiers. Let them remember who have compelled us, and againſt our Souls deſire, forced us to raiſe thoſe Soldiers; and then if the Oppreſſions and Rapines were indeed ſuch as are falſly pretended, our poor Subjects, who ſuffer under them, will look on them, and only on them, as the Authors of all the Miſeries they do or can undergo. We confeſs with grief of heart, ſome Diſorders have, and many more may befal our good People by our Soldiers; but we Appeal to all thoſe Countreys through which we have paſſed, what care we have taken to prevent, and what Juſtice we daily inflict upon ſuch Offenders; neither hath the leaſt

leaſt Complaint been ever made to us of Violences and Outrages*, which we have not, to our outmoſt Power repaired and puniſhed, however thoſe Falſe and Treaſonable Pamphlets are ſuffered, which Accuſe us of giving Warrant for Plundering of Houſes, our Mercy and Lenity is ſo well known to the contrary, that it is uſually made an Excuſe by thoſe, who againſt their Conſciences aſſiſt this Rebellion againſt us, that they chooſe rather to Offend us, than provoke thoſe malignant Perſons, who without Charity or Compaſſion deſtroy all who concur not with them in Faction and Opinion. How far we are from Rapine and Oppreſſion, may appear by our Lenity to the Perſons and Eſtates of thoſe who have not only Exerciſed the *Militia* (the Seed from whence this Rebellion againſt us hath grown) but contributed *Money* and *Plate* to the Maintenance of that Army which now endeavours to Deſtroy us, as of *Nottingham*, *Leiceſter*, and many other Places through which we have paſſed, many of whom then were, and now are in that Army. To let paſs our paſſing by *Chartly* (the Houſe of the Earl of *Eſſex*) without other Preſſures then as if he were the General of our own Army, and our expreſs Orders to reſtrain the Liberty our Soldiers would otherwiſe have uſed upon that Place and his Eſtate about it: How contrary the Proceedings are of theſe great Aſſertors of the Publick Liberties, appears fully by the ſad Inſtances they every day give in the Plundering by publick Warrant the Houſes of all ſuch whoſe Duty, Conſcience and Loyalty have engaged them in our Quarrel, which every good Man ought to make his own, by their Declaring all Perſons to be out of the Protection of the Parliament (and ſo Expoſing them to the Fury of their Soldiers) who will not aſſiſt this Rebellion againſt us, their Anointed King; by the daily Outrages committed in *Yorkſhire*, when contrary to the Deſire and Agreement of that County (ſigned under the Hands of both Parties) they will not ſuffer the Peace to be kept; but that the Diſtractions and Confuſion may be Univerſal over the whole Kingdom, direct their Governour of *Hull* to make War upon our good Subjects in that County, and ſo continue the Robbing and Plundering the Houſes of all ſuch who concur not with them in this Rebellion. *Laſtly, By the Barbarous, Sacrilegious Inhumanity exerciſed by their Soldiers in Churches, as in *Canterbury*, *Worceſter*, *Oxford*, and other Places, where they committed ſuch unheard of Outrages, as Jews and Atheiſts never practiſed before. God in his good Time will make them Examples of his Vengeance.

18 *Caroli.*

We never did, nor ever ſhall deſire to ſecure the Authors and Inſtruments of any Miſchiefs to the Kingdom from the Juſtice of Parliament, we deſire all ſuch Perſons may be ſpeedily brought to condign Puniſhment, by that Rule which is, or ought to be, the Rule of all Puniſhment, the known Law of the Land. If there have ſeemed to be any Interruption in Proceedings of this Nature, it muſt be remembred, how long Perſons have been kept under general Accuſations, without Trial, though earneſtly deſired, that the Members who were properly to Judge ſuch Accuſations, have by Violence been driven thence, or could not with Honour and Safety be preſent at ſuch Debates, that notorious Delinquents by the known Laws were protected againſt us from the Juſtice of the Kingdom; and ſuch called Delinquents, who committed no Offence againſt any known Law, but were ſo Voted, only for doing their Duties to us; and then there will be no cauſe of Complaint found againſt us.

An. 1642.

• And for the Priviledges of Parliament, we have ſaid ſo much, and upon ſuch Reaſons, (which have never been Anſwered but by bare poſitive Aſſertions) in our ſeveral Declarations, that we may well, and do ſtill uſe the ſame Expreſſion, *That we deſire God may ſo deal with us, and our Poſterity, as we deſire the preſervation of the juſt Rights of Parliament*, the Violation whereof, in truth, by theſe deſperate Perſons, is ſo clearly known to all Men who underſtand the Priviledges of Parliament, that their Rage and Malice hath not been greater to our Perſon and Government, than to the Liberty, Priviledge, and very being of Parliaments; witneſs their putting in, putting out, and ſuſpending what Perſons they pleaſe, as they like or diſlike their Opinions; their bringing down the Tumults to Aſſault the Members, and awe the Parliament; their poſting and proſecuting ſuch Members of either Houſe, as concurred not with them in their Deſigns, and ſo driving them from thence for the ſafety of their Lives; their denying us, againſt the known eſtabliſhed Law, and the Conſtitutions of the Kingdom, to have a Negative Voice, without which no Parliament can conſiſt; their making cloſe Committees, from whence the Members of the Houſes are exempted, againſt the Liberty of Parliament; and laſtly, reſolving both Houſes into a cloſe Committee of ſeventeen Perſons, who undertake and direct all the preſent Outrages, and the managery of this Rebellion againſt us, in the Abſence of four parts of five of both Houſes, and without the privity of thoſe who ſtay there, which is not only contrary, but deſtructive to Parliaments themſelves. By theſe groſs unheard of Evaſions and Breaches of the Priviledges of Parliament (and without them they could not have done the other) they made way for their Attempts upon the Law, and the Introduction of that unlimited Arbitrary Power which they have ſince Exerciſed, to the intolerable Damage and Confuſion of the whole Kingdom. And we aſſure our good Subjects, the Vindication of theſe juſt Liberties and Priviledges of Parliament, thus violated by theſe Men, is not leſs the Argument of our preſent Quarrel and Undertaking, than our own Honour, Intereſt, and Safety, thoſe being no way ſo ſecurely to be preſerved, as by preſerving Parliaments, and their juſt Priviledges; neither is there any Proteſtation, to our knowledge, publiſhed in our Name, of our Tenderneſs of the Miſeries of *Ireland*, and our Reſolution to maintain the Proteſtant Religion and Laws of this Kingdom, that is not the Proteſtation of our Soul, and manifeſted in all our Actions: And we hope that falſe Scandal, *That divers of the* Iriſh *Traytors and Rebels, the known Favourers of them, and Agents for them, are admitted to our Preſence with Favour, and imployed in our Service*, will gain no credit with good Men, who remember well the notorious Imputation ſo confidently and groundleſly heretofore caſt on us by Mr. *Pym*, of which, as there could never be the leaſt Proof, ſo we could never receive any Satisfaction for that high Injury, which might have been a warning to them to have publiſhed no more ſuch Untruths, if they had not found that Truth and their Ends cannot meet together.

For the Horſes taken for our Service, which were provided for the Service of *Ireland*, 'tis true, we were compelled for the bringing our own Waggons from *Cheſter* for the Carriage of our Munition, to make uſe of them, being few in number, and of ſmall value, after they were certified to be of no uſe for the Service for which they were provided. And for the Cloaths, upon Enquiry, we find that ſome few were taken by our Soldiers (but without any Order from us) going to *Coventry*, and

and as was probably believed, for the Relief of that place, then in actual Rebellion againſt us, but how far we have been, and are from diverting any of thoſe Proviſions made for the Relief of that poor Kingdom (the thought of whoſe miſerable Condition makes our heart bleed) may appear by our Expreſs Command given for the ſpeedy Tranſportation of Three thouſand Suits of Cloaths, which we found provided at *Cheſter*, but neglected to be ſent, and which no neceſſity of our own Army here could prevail with us to ſeize, and how bold ſoever the Reproaches of that kind have been upon us, we are confident Malice it ſelf cannot lay the leaſt probable imputation upon us, for the neglect of our Duty towards that Kingdom. What one thing in our power have we neglected or omitted, which might contribute to the Aſſiſtance or Eaſe of our poor Proteſtant Subjects there? We firſt recommended the Care of that buſineſs to both our Houſes of Parliament; we conſented to all Propoſitions made on that behalf, offered to raiſe Ten thouſand Voluntiers, (which if then accepted, had ſhortned that Work) offered to venture our own Perſon in the Service; What Interpretation that offer of ours found, is known to all the World? We parted with our Intereſt in the Land of the Rebels, to encourage ſuch who were willing to Adventure in that buſineſs. And when Money was raiſed by our conſent for that ſole purpoſe, they have at once ſeized on a hundred thouſand pound, particularly appointed by Act of Parliament for the Relief of poor *Ireland*, (our Army being ready to periſh for want of it) and imployed it to maintain this unnatural Civil War at home. They have leavied Men, and entertained Commanders for that Service, and then compelled them to joyn in this Rebellion, and to march againſt us. And though they have complained of our keeping the Lieutenant of *Ireland* ſome Weeks with us, (when in truth it was a Seaſon of extraordinary buſineſs) after we had in vain for many Months preſſed his Diſpatch, yet themſelves now detain him, when his going is ſo neceſſary for the preſervation of that Kingdom. And no doubt theſe Men (and theſe alone) by begetting this miſerable Diſtraction of *England*, are guilty before God and Man of all the inſupportable Calamities that our Kingdom of *Ireland* endures. Let all the World judge where the deſire of Peace is, and upon whoſe Account the Blood and Confuſion which hath been ſhed, and muſt follow, ſhall be caſt; And whether the ſeveral Proclamations and Declarations publiſhed by us, have not been extorted from us, by ſuch unheard of Inſolencies and Injuries, which no former Times ever produced; neither can any ſober Man wonder, when we are publickly Reproached, Traduced and Reviled to our People, (a practice never known till this Parliament) that we endeavour by a true Relation and Declaration of our Actions and Intentions, and of their Conſpiracies, who have vowed our Deſtruction, to inform our good Subjects of the Cunning and Malice they are to encounter with. And when a Combination is entred into to deſtroy us, and to alter the Religion and Law of the Kingdom, and to that purpoſe an Army raiſed and marching againſt us, that we proclaim the General of that Army, and ſuch who ſhall aſſiſt him in leavying a War againſt us, to be Traytors, and have ſet up our Royal Standard, and required all our good Subjects to come to our Defence. And yet both in that Proclamation, and in all our Declarations, we have never Accuſed our Parliament, but ſuch factious, ſeditious Members of both Houſes, whom we have named, and whom we are ready to prove, according to the Rules of the known Law, to be guilty of High Treaſon.

18 *Caroli.*

An. 1642. We well know, and all the Kingdom knows, that of near Five hundred Members, which the Houſe of Commons contains, there remains not now Three hundred; neither hath above ſuch a number conſented almoſt to any thing of which we have ever complained, the reſt have either been driven away by Tumults and Threats of the Perſons whom we have Accuſed, or out of Conſcience withdrawn themſelves from their deſperate Conſultations. And of above an hundred Peers of the Realm, there are not above fifteen or ſixteen who concur in theſe miſerable Reſolutions, which diſturbe the publick Peace, many of which being of deſperate Fortunes, have no other ſupport, than the Commands now given them to make War upon us; and now theſe Men muſt ſit upon the Lives and Fortunes of all the Nobility, Gentry and Commons of *England*; and becauſe we will not put our ſelves into the Hands, Government and Diſpoſal of them, all our good Subjects are invited and Encouraged to Rebel againſt us; yet we have been, and are ſtill far from Accuſing all that ſmall Number of both Houſes who are yet left together; we believe many of them are miſled by the Cunning and Malice, and frighted by the Power of thoſe Men whom we have Accuſed, againſt every one of whom we have Evidence of Matter of Fact, that the known Law of the Land determines to be High Treaſon.

And now that all our good Subjects may ſee how deſirous theſe Men and their Adherents are to prevent the Effuſion of Blood, and the laſting Miſeries of a Civil War, they will make themſelves ſo conſiderable, that except we will recall our Proclamations and Declarations, whereby particular Men, named for particular Actions (which the Law hath defined to be Treaſon) are ſo Accuſed, and others warned from involving themſelves in their Guilt; and except we will take down our Standard, that our good Subjects might not repair to us for our Defence, when ſo many Armies are raiſed againſt us in ſeveral parts of the Kingdom, and ready to deſtroy us, and ſuch of our good Subjects, who dare continue Loyal to us; and except we will return to *London*, from whence with Violence we have been driven, we muſt not be treated with, or receive any Anſwer to ſo gracious a Meſſage.

It can no longer be doubted by any Man, who hath not wilfully forſaken his Underſtanding, that it is no more a Quarrel undertaken by the Parliament, but contrived and fomented by the Perſons we have named, and now continued ſolely in their Defence, to whoſe Ambition, Faction and Malice, the true Reformed Proteſtant Religion, the juſt Right, Honour, Safety, and the Life of us and our Poſterity, the Law of the Land, which hath ſo long preſerved this Nation happy, the Liberty of the Subject, eſtabliſhed by that Law, and the glorious Frame and Conſtitution of this Kingdom muſt be ſacrificed. But as we have hitherto left no Action unperformed, which in Honour, Juſtice and Conſcience, we were obliged to do, or in Chriſtian Policy and Prudence we could conceive might probably prevent theſe Calamities; ſo we thank God he hath given us a full Courage and Reſolution to run the utmoſt hazard of our Life for the Suppreſſion of this horrible Rebellion, in the which no diſproportion of Power, Arms or Money ſhall diſcourage us. And we hope that all our good Subjects, beſides the common duty of Allegiance, will be ſtirred up for their own ſakes, for the preſervation of the bleſſed Proteſtant Religion, and for the upholding this whole admirable Frame of Goverment, which being diſſolved, all their private and particular Rights and Inte-

reſts

18 *Caroli.*

reſts muſt be immediately confounded, to bring in their utmoſt Power and Peace, and were not intended to bar you from a neceſſary uſe of Arms in time of Actual War, for your own Safety, or for the Defence of our Perſon againſt all Rebels and Enemies, which by your Duty and Allegiance you are bound unto, which is not, nor ever was meant to be diſcharged, or taken away by any Act. And whereas the Arms which were taken from you, ought by Law to have been kept and preſerved to have been made uſe of by you in ſuch time of open War, or of ſuch others as you ſhould provide; yet under the ſpecious pretence of diſarming Recuſants, and Perſons ill-affected, and for the moſt part Fomenters and Exciters of theſe Commotions now raiſed in this Kingdom: Our Will and Command therefore is, and we charge and require you upon your Allegiance, and as you tender the Safety of our Perſon, and the Peace and Welfare of our Kingdom, That you with all poſitive ſpeed provide ſufficient Arms for your ſelves, your Servants, and your Tenants, which we authorize and require, during the time of open War raiſed againſt us, to keep and uſe for the Defence of us, and of your ſelves, and of your Country, againſt all Forces and Arms raiſed, or to be raiſed againſt us, or againſt our conſent, or contrary to our Proclamations, by colour of any Order, or Ordinance, or Authority whatſoever: And we ſhall (according as we are bound to all our Subjects) uſe our utmoſt Powers for the protection of you and yours, againſt all Injuries and Violence. And whenſoever thoſe Arms which you ſhall ſo provide (after it ſhall pleaſe God to put an end to theſe Dangers and Diſtractions) ſhall be taken away from your Cuſtody, by reaſon of our Laws now in force, we do hereby aſſure you, we will allow you for the ſame, ſo much as you ſhall have diſpended in proviſion thereof.

Given under our Signet at our Court at Cheſter, *the 27th of* September, *in the Eighteenth year of our Reign.*

A LETTER ſent from the Provoſt Vice-Chancellor of the Univerſity of Oxford, *to the Right Honourable the Earl of* Pembroke *and* Mountgomery, *Chancellor of that Univerſity, dated* September *the 12th*, 1642.

A Letter from the Provoſt Vice-chancellor of the Univerſity of *Oxford*, to the Earl of *Pembroke* Lord Chancellor of that Univerſity, *Sept.* 12. 1642.

Right Honourable!

MAy it pleaſe your Lordſhip to know, that this Univerſity is now in extream danger of the ſuffering all Evils and Calamities that warlike Forces may bring upon it; ſuch Forces we hear for certain are ſome of them already upon their March, ſome others in raiſing, to aſſault, (and if they may have their wills, I mean the common ſort of them) to ſpoil and deſtroy us. My Lord! you have been ſollicitous, whom to appoint your Vice-Chancellor over us for this next year; but if theſe Forces come forward, and do that Execution upon us, and this place, that we fear they intend, there will be no uſe at all for a Vice-Chancellor; For what will be here for him to do, where there will be no Scholars for him to govern? Or what ſhould Scholars do here, having no Libraries left them to ſtudy in, no Schools to diſpute, Chappels to ſerve God in, Colledges or Halls to live or lodge in? but have all theſe ranſacked, defaced, demoliſhed, ſo as Poſterity may have to ſay, See! here was for a long time, and till ſuch a year, an Univerſity of great Renown and Eminence, in all manner of

An. 1642.

Learning and Vertue, but now laid utterly waſte and buried in her own Ruins, *And then will the Queſtion be*, What! had they then no Lord Chancellor over them? or was he unable to protect them, either by his Power, or by his Mediation and Favour in their behalf? or were Men of place and Governours in the Univerſity, ſo ſleepy and ſtupid, as not to implore his Protection of them? or was he fore-acquainted with their danger, and regardleſs nevertheleſs of what might befall them? *We are all of us very confident, that if your Lordſhip would vouchſafe to interpoſe with your Intreaties for us to the honourable Houſes of Parliament, for our Safety and Security, all would be well with us. The Delinquents that were one while ſent for, are not one of them here at this time; Sir* John Byron, *with his Regiment of Troopers (who have been a few days here without the leaſt dammage or grievance that I know of to any man,) we ſhall (I doubt not) ſoon prevail withal to withdraw from us, if he may with his Safety return back to his Majeſty, (who of his own gracious care of us ſent him hither) and if your Lordſhip ſhall be ſecured, that no other Forces ſhall be here impoſed upon us, that will take the liberty to exerciſe that barbarous inſolence with which the illiterate, rude, and ruffianly Rabble of the Vulgar threaten us; againſt ſuch only, our young Men have lately taken in hand the Arms, we have, (a very few God knows, and in weak hands enough) to ſave themſelves and us from having our* Libraries *fired, our Colledges pillaged, and our Throats cut by them, if they ſhould ſuddenly break in upon us. And this (My Lord!) is all the ſinful intent we have had in permitting them to Train in a voluntary and peaceable manner ſo as they have done: Good my Lord, that which I moſt earneſtly beg of your Honour is, out of the ſenſe and humble requeſt of the Univerſity, vouchſafe to put in Action with all ſpeed, what you in your Wiſdom conceive may be moſt effectual and prevalent with the honourable Houſes of Parliament, for the Peace and Security of this place, and for the ſtaying of our Students, a great part of whom, (ſuch ſtout and hardy Men they are) upon Alarms and Affrights, ſuch as have been hourly here of late, are fled away from us home to their* Mothers. *The Diſciples, when in danger of drowning, clamored our Saviour with,* Maſter, careſt thou not that we periſh! *But I am bold to aſſume for your Honour, and to aſſure all of this Univerſity under your happy Government, that you will not (ſo far as your power is) ſuffer any one Member of it to periſh, no not to receive any the leaſt hurt, and that of the tender and vigilant care you have of us, you will at this time give us a clear and real Evidence, having this Repreſentation of the Peril we are now in, made unto your Honour by me,*

Your Lordſhips humble Servant,

Provoſt Vice-Chancellour

of *OXFORD.*

The

18 *Caroli.*

The Answer to the said Letter, dated *September* the 13th, 1642.

The Earls Answer.

SIR,

IF you had desired my Advice and Assistance in time, I should willingly have contributed my best Endeavours for Safety and Protection, but your own unadvised Counsels and Actions have reduced you to the straights you are now in, and in Discretion you might have foreseen, that the admitting of Cavaliers, and taking up Arms, could not but make the University a notorious Mark of Opposition against the Parliament, and therefore to be opposed by it. If you had contained your selves within the decent modest bounds of an University, you might justly have challenged me, if I had not performed the Duty of a Chancellour. The best Counsel I can now give you is, That you presently dismiss the Cavaliers, and yield up unto the Parliament such Delinquents as are amongst you, and then the Cause being taken away, the Effect will follow. When you have put your selves into the right posture of an University, I will be a faithful Servant to you, and as ready to do you all the good Offices I can with the Parliament, as I am now sorry you have brought these Troubles upon your selves. So I rest,

Your very loving Friend,

Pembroke and *Mount.*

September *the* 19*th*, 1642.

Order for Cloaths for the Relief of Protestants in *Ireland.*

YOrkshire-Hall in *Blackwell-Hall* is by the Honourable the Lord Mayor of *London*, and the Court of Aldermen, appointed for the laying in of such *Cloaths of all sorts* for *Men*, *Women* and *Children*, with *Shoes*, *Hats* and *Linnen*, such as may be spared for Cloathing the poor naked Protestants in *Ireland.*

It is desired, that before the Third of *October* next there may be brought into the place aforesaid, what in that kind shall be bestowed by well-disposed People, that the same may be ready for Shipping then prepared for *Ireland.*

A LETTER from the Earl of Leicester *to the Earl of* Northumberland, *concerning* Ireland.

A Letter from the Earl of *Leicester* Lord Lieutenant of *Ireland*, complaining of the Delays he met with at Court, which retard his going into that Kingdom, *Sept.* 26 1642.

My Lord;

THO I have written thrice to the Commissioners for the Affairs of Ireland, *since my coming from* London, *to give them Account of my stay at Court, and that I have also written several Letters to some particular Friends, in hope that thereby the Truth might be known, and my self rightly understood: Yet because those Letters peradventure may have miscarried, and least I should incur the Censure of the Parliament for Negligence or Slackness in that Service to which I have been designed; I will briefly, and as truly as I can, relate to your Lordship how I have behaved my self; And if your Lordship please, you may communicate it to the House of Peers, as in your Judgment and Favour to*

me

An. 1642.

me you ſhall think fit; And I hope it will appear, that as I have been very impatient of this delay, ſo I have not wanted Diligence in the ſolicitation of my Diſpatch.

When I came to York, *I told the King that I was come thither to receive his Majeſties Commandments and Inſtructions for that Imployment, which he had done me the Honour to confer upon me; and I did humbly beſeech him, that I might not be ſtayed at Court, becauſe the Parliament did deſire my ſpeedy repair into* Ireland, *and that his Service, as I conceived, did Require it, at leaſt that ſome Governour (if I were not thought worthy of it) ſhould be preſently ſent into that Kingdom.*

The King told me that he would think of it; but I muſt confeſs I did not find his Majeſty ſo ready to diſpatch me, as I hoped and expected: From that time I did not fail to beſeech his Majeſty to ſend me away upon every Opportunity that I had of ſpeaking to him, and I think there paſſed not a day that I did not deſire the Secretaries of State, and ſome other Perſons about the King, to put his Majeſty in mind of me, and to haſten my Diſmiſſion. And divers times I made it my Petition to the King, that he would diſpatch me, or declare his Intention that he would not let me go at all. The King ſaid my Inſtructions ſhould be drawn, and that he would give Order to Mr. Secretary Nicholas *to do it as ſpeedily as he could. In expectation whereof I ſtayed about three Weeks, till the King came from* York, *when his Majeſty appointed me to follow him to* Nottingham, *and there I ſhould have my Expeditions. I obeyed his Majeſty, and came after him to this Town, where I have attended ever ſince, perpetually ſoliciting to be diſpatched, and beſeeching his Majeſty that I might either go to my Employment, or have his leave to retire my ſelf, to my own Houſe and private Condition; That if he were unwilling to truſt me in an Employment, of ſo great Importance, I did beſeech him that I might be no burthen to his thoughts, and that he would be ſo gracious as to let me know his Reſolution, for I conceived my ſelf to be under a heavy Cenſure, both of the Parliament and of the whole Kingdom, whilſt poſſibly they might think it my Fault that I was ſo long abſent from the Charge, which I had undertaken. It is to no purpoſe to tell you every paſſage; but this I proteſt to your Lordſhip, That if it had been to ſave the Lives of all my Friends, and of my ſelf, I could not have done more to procure my Diſpatch; nevertheleſs, I have not been able to advance it one ſtep; nor have I ſeen any Token to make me hope to have it quickly till this Morning, when Mr. Secretary* Nicholas *gave me a Draught of my Inſtructions to peruſe; and ſo I hope betwixt this and* Monday, *I ſhall have done that part. And I will do the beſt I can in procuring ſome other thing, without which I know not how I ſhall be able to do any acceptable Service in that Kingdom. Your Lordſhip knows I am a Servant, and I could not run away if I would, or at leaſt it had been to little purpoſe, tho I ſhould have adventured to do ſo undecent and ſo undutiful an Action; Therefore I hope it will be believed that I have not been too blame. Now with your Lordſhips leave, I ſhall trouble you with another particular, wherein perhaps I ſuffer in the Opinion of them that know not what hath paſſed, though I be as innocent as a new-born Child; nay, I have oppoſed it as much as I had a power to do.*

The King being informed at York *by ſome officious Perſons, that there were certain* draught Horſes *provided to be ſent into* Ireland, *his Majeſty told me,* That he muſt needs have them for his own uſe. *I did humbly beſeech him not to take them away from his own Service in* Ireland, *for which they were bought, and in which they were to be imployed. And beſides*

18 *Caroli.*

beſides what I ſaid my ſelf, I made means by others to ſave the Horſes, So as I heard no more of it, till I came hither. But then his Majeſty told me again, That he muſt needs have thoſe Horſes, and would have me ſend for them. I repreſented to his Majeſty the inconſiderableneſs of thoſe few Horſes, and that the Parliament might take it very ill, in regard that the Horſes were bought with their Money *for the Service of the* poor Kingdom *of* Ireland. *Therefore I did beſeech him not to take them, or howſoever, that he would ſecure me from being an Inſtrument in that, which I conceived would much hurt his Affairs, and that I being truſted by the Parliament, could neither do it my ſelf, nor conſent that any other ſhould do that, which was a* breach of Truſt, *and a great diſſervice even to his Majeſty himſelf.*

Nowithſtanding this, the King ſent unto me, by Mr. Endimion Porter *and Sir* George Hay *at ſeveral times to the like purpoſe, but I returned the ſame Anſwer; adding this alſo, That I could not do it, and be an* honeſt Man *to his Service; though it be true that the King ſaid he would* reſtore *the Horſes, or* pay *for them. But for all this, it pleaſed his Majeſty to employ one* Errington *that ſerved me, and gave him a Warrant to fetch the Horſes.* Errington *told me of it; I forbad him, as far as I could, to do it; and told him, That if he did it, he muſt not look to have any thing more to do with me for ever. And further, That I made no doubt but the Parliament would hang him for* ſtealing *their Horſes. This, and more I ſaid to* Errington, *in the preſence of* James Batterie *my Secretary, who will witneſs it. And conceiving it to be an unjuſt thing in it ſelf, diſpleaſing to the Parliament, and hurtful to the King's Service, I proteſted againſt it, though* Errington *ſaid, His Majeſty had commanded him upon his Allegiance to Execute the Warrant. But indeed I told him, I did not believe him, nor could think that his Majeſty would command a Subject, upon his Allegiance, to take away other Men's Horſes. This, I thought ſufficient, but it ſeems I was deceived; for* Errington, *without my conſent or knowledge, went from* Nottingham *towards* Cheſter, *as I heard afterwards, and I have never ſeen him ſince, nor heard from him. What he hath done, I do not know; but I ſent to* Cheſter, *that the Horſes ſhould be preſently ſhipt away; and I cauſed my Secretary to write to Mr.* Hawkin, *to take care that neither* Errington, *nor any Body for him, ſhould receive any Money of Mr.* Loftus, *or his Deputy, to provide the reſt of the Horſes; for as yet I think there hath been only ſixteen hundred pounds iſſued to buy two hundred of the ſix hundred Horſes allowed by the Parliament; and of that ſixteen hundred pounds, I will do the beſt I can to get a good Account, whereof the Parliament, God willing, ſhall be informed, with my beſt Care and Diligence. Truly, my Lord, I do the beſt I can to ſerve my Country; they that are wiſer may do more; but of any thing, contrary to the Duty of an honeſt Man, the Parliament, upon ſtrict Examination, ſhall never find me Guilty; for the Reputation of Honeſty and Fidelity is (and I can ſay no more) as dear unto me, as your Eſteeming me,*

Your Lordſhips humble
and affectionate Servant,
LEICESTER.

Die Lunæ Septemb. 26. 1643.
Ordered by the Lords in Parliament, That this Letter ſhall be forthwith printed and publiſhed.
J. Browne Cler. Parliamentorum.

On

An. 1642. The Earl of *Eſſex* begins his March *Sept.*9.1642.

On the Ninth of *September*, 1642. the Earl of *Eſſex* in much ſtate, accompanied by many Members of both Houſes of Parliament, did ſet out of *London*, and went to his Head-Quarters at St. *Albans*, and from thence to *Northampton*, where his Forces met him; and they were together above 15000 Men.

Directions from the Lords and Commons now in Parliament aſſembled, to be given to his Excellency, *Robert* Earl of *Eſſex*, General of the Army.

I.

YOU ſhall carefully Reſtrain all Impieties, Prophaneneſs, and Diſorders, Violence, Inſolence and Plundering in your Souldiers, as well by ſtrict and ſevere Puniſhment of ſuch Offences, as by all other means, which you in your Wiſdom ſhall think fit.

II.

Your Lordſhip is to march with ſuch Forces as you think fit, towards the Army raiſed in his Majeſties Name againſt the Parliament and Kingdom. And you ſhall uſe your utmoſt Endeavours, by Battel or otherwiſe, to reſcue his Majeſty's Perſon, and the Perſons of the Prince and the Duke of *York*, out of the hands of thoſe deſperate perſons who are now about them.

III.

You ſhall take an Opportunity, in ſome ſafe and honourable way, to cauſe the Petition of both Houſes of Parliament herewith ſent unto you to be preſented unto his Majeſty: And if his Majeſty ſhall thereupon pleaſe to withdraw himſelf from the Forces now about him, and to reſort to the Parliament, you ſhall cauſe all thoſe Forces to Disband, and ſhall ſerve and defend his Majeſty with a ſufficient ſtrength in his Return.

IV.

You ſhall publiſh and declare, That if any, who have been ſo ſeduced by the falſe Aſperſions caſt upon the proceedings of the Parliament, as to aſſiſt the King in the acting of thoſe dangerous Councels, ſhall willingly within ten days after ſuch publication in the Army return to their Duty, not doing any hoſtile Act within the time limited, and joyn themſelves with the Parliament, in Defence of Religion, his Majeſty's Perſon, the Liberties and Laws of the Kingdom, and Priviledges of Parliament, with their Perſons and Eſtates, as the Members of both Houſes, and the reſt of the Kingdom have done, that the Lords and Commons will be ready upon their Submiſſion to receive ſuch perſons in ſuch manner, as they ſhall have cauſe to acknowledge, they have been uſed with Clemency and Favour; Provided that this ſhall not extend to admit any man into either Houſe of Parliament, who ſtands ſuſpended, without giving Satisfaction to the Houſe, whereof he ſhall be a Member; And except all perſons who ſtand impeacht in Parliament of Treaſon, as have been eminent Perſons and chief Actors in thoſe Treaſons: And except the Earl of *Briſtol*, the Earl of *Cumberland*, the Earl of *Newcaſtle*, the Earl *Rivers*, Secretary *Nichols*, Mr. *Endimion Porter*, Mr. *Edward Hide*, the Duke of *Richmond*, the Earl of *Carnarvan*, the Lord Viſcount *Newark*, the Lord Viſcount *Faulkland*, one of the Principal Secretaries of State to his Majeſty.

V.

You ſhall apprehend the Perſons of all thoſe who ſtand impeached in Parliament, or have been declared Traytors by both or either Houſe of Parliament, or otherwiſe Delinquents; and you ſhall ſend them to the Parliament to receive condign puniſhment, according to their Offences.

VI.

You ſhall receive the Loans or Contributions of Money, Plate, or Horſes,

Horſes, from all his Majeſties loving Subjects, which they ſhall be willing to make for the Support of the Charge of the Army, and better diſcharge of the Service of the Commonwealth; And you ſhall certify all ſuch Sums of Money, and the value of ſuch Horſes, that the Parties may thereupon have the benefit of the Publick Faith, for payment to be made unto them, as to others of his Majeſties Subjects, upon the proportions of Money, Plate and Horſe.

VII.

You ſhall carefully protect all his Majeſties Loving Subjects from Rapine and Violence by any of the Cavaliers, or other Soldiers of his Majeſties pretended Army, or by any of the Soldiers of the Army, which you Command, and you ſhall cauſe the Arms and Goods of any perſon to be reſtored to them, from whom they have been unjuſtly taken.

VIII.

You ſhall obſerve ſuch further Directions and Inſtructions, as you ſhall from time to time receive from both Houſes of Parliament.

Further Directions for *Robert* Earl of *Eſſex*, Captain General, and the Committee appointed by both Houſes of Parliament, touching the Affairs of the Army.

The ſaid Committee, or any four of them, whereof the ſaid Earl of *Eſſex* to be one, ſhall have power to meet together at ſuch times and places as they ſhall think fit, and to conſult and adviſe touching ſuch Matters that ſhall concern the Army, as the ſaid Earl ſhall think convenient. And from time to time ſhall acquaint both Houſes of Parliament with their Reſolutions therein, that both Houſes may further proceed thereupon, as to them ſhall be thought convenient for the Publick.

They, or four of them, whereof the Earl of *Eſſex* to be one, ſhall have power, and are hereby authorized to adviſe and uſe all convenient and reaſonable Means they can, to ſupply the Army with Money and other Neceſſaries. And for that end and purpoſe are hereby authorized, to take the Subſcriptions of all Perſons that ſhall give, lend, or advance any Money, Plate, or other Proviſions whatſoever neceſſary for the Army, and ſhall give a Note unto all ſuch Perſons that ſhall ſo lend or advance, expreſſing the nature and particular thereof; which Note, ſubſcribed with the Hand of the ſaid Earl of *Eſſex*, and any three of the ſaid Committee, whereof two to be of the Houſe of Commons, ſhall be ſufficient Warrant for the Party that ſhall ſo lend or advance, to receive the ſame again with Intereſt after the Rate of 8 *l. per Cent.* out of ſuch Moneys as ſhall be collected for the Affairs of this Kingdom, and both Houſes doth Engage the Publick Faith for the ſame.

They, or any four of them, whereof the Earl of *Eſſex* to be one, ſhall have power, and are hereby authorized to ſit with the ſaid Earl, and to Examine all ſuch Perſons as ſhall be ſent for, apprehended, and brought before them by Virtue of any Warrant, ſent and iſſued under the Hand of the Lord General, and ſhall have power to continue them in ſafe Cuſtody, ſend them up to the Parliament, or Diſcharge them, as they ſhall think fit, and ſhall moſt tend to the Publick Good.

An. 1642.

The Humble Petition of the Lords and Commons in Parliament, to his Sacred Majeſty. Sent by Sir Philip Stapleton *to his* Excellency *the* Earl *of* Eſſex, *and by him to be preſented to his Majeſty.*

A Petition ſent to the Earl of *Eſſex* to be by him delivered to the King, *Sept.* 16. 1642.

WE your Majeſties Loyal Subjects, the Lords and Commons in Parliament, cannot without great Grief and Tenderneſs of Compaſſion, behold the preſſing Miſeries the eminent Dangers, and the devouring Calamities which do extreamly threaten, and have partly ſeized upon both your Kingdoms of *England* and *Ireland*, by the practices of a Party prevailing with your Majeſty, who by many wicked Plots and Conſpiracies, have attempted the Alteration of the true Religion, and the ancient Government of this Kingdom, and the Introducing of Popiſh Idolatry and Superſtition in the Church, and Tyranny and Confuſion in the State, and for the compaſſing thereof, have long corrupted your Majeſties Councels, abuſed your Power, and by ſudden and untimely Diſſolving of former Parliaments, have often hindred the reformation and prevention of thoſe Miſchiefs. And being now diſabled to avoid the Endeavours of this Parliament by any ſuch means, have traiterouſly attempted to over-awe the ſame by Force. And in proſecution of their wicked Deſigns, have excited, encouraged, and foſtered an unnatural Rebellion in *Ireland*, by which, in a moſt cruel and moſt outragious manner, many thouſands of your Majeſty's Subjects there have been deſtroyed; And by falſe Slanders upon your Parliament, and malicious and unjuſt Accuſations, have endeavoured to begin the like Maſſacre here. And being through God's Bleſſing therein diſappointed, have, as the moſt miſchievous and bloody deſign of all, drawn your Majeſty to make War againſt your Parliament and good Subjects of this Kingdom, leading in your Perſon an Army againſt them, as if you intended by Conqueſt to eſtabliſh an Abſolute and Illimited Power over them, and by your Power, and the Countenance of your Preſence, have ranſacked, ſpoiled, and impriſoned and murthered divers of your People. And for their better Aſſiſtance in their wicked Deſigns, do ſeek to bring over the Rebels of *Ireland*, and other Forces beyond the Seas, to joyn with them; and we finding our ſelves utterly deprived of your Majeſty's protection, and the Authors, Counſellors and Abettors of theſe Miſchiefs in greateſt power and favour with your Majeſty, and defended by you againſt the Juſtice of your High Court of Parliament, whereby they are grown to that height and inſolence, as to manifeſt their Rage and Malice againſt thoſe of the Nobility, and others, who are any whit inclinable unto Peace, not without great appearance of Danger to your own Royal Perſon, if you ſhall not in all things concur with their wicked and traiterous Courſes, have for the juſt and neceſſary Defence of the Proteſtant Religion, of your Majeſty's Perſon, Crown and Dignity, of the Law and Liberty of the Kingdom, and the Priviledges and Power of Parliament, taken up Arms, and appointed and authorized *Robert* Earl of *Eſſex* to be Captain General of all the Forces by us raiſed, and to lead and conduct the ſame againſt thoſe Rebels and Traitors, and them to ſubdue and bring to condign puniſhment. And do moſt humbly beſeech your Majeſty to withdraw your Royal Preſence and Countenance from theſe wicked Perſons; and if they ſhall ſtand out in defence of their rebellious and unlawful Attempts, that your Majeſty would leave them to be ſuppreſt by that Power which we have ſent againſt

gainſt them; and that your Majeſty will not mix your own Dangers with theirs, but in Peace and Safety, without your Forces, forthwith return to your Parliament, and by their faithful Counſel and Advice, compoſe the preſent Diſtempers and Confuſions abounding in both your Kingdoms, and provide for the Security and Honour of your ſelf, and your Royal Poſterity, and the proſperous Eſtate of all your Subjects: Wherein if your Majeſty pleaſe to yield to our moſt humble and earneſt Deſires, we do in the Preſence of Almighty God profeſs, that we will receive your Majeſty with all Honour, yield all due Obedience and Subjection, and faithfully endeavour to ſecure your Perſon and Eſtate from all Dangers, and to the uttermoſt of our power, to procure and eſtabliſh to your ſelf, and to your People, all the Bleſſings of a glorious and happy Reign. 18 *Caroli.*

The Earl of *Eſſex* ſent to the King for a ſafe Conduct for ſome perſons to preſent this Petition, but his Majeſty refuſed to receive it.

An Ordinance or *Declaration of the Lords and Commons Aſſembled in Parliament, That all the Regiments of Foot and Troops of Horſe in* London, *and all Parts of* England, *ſhall within* 48 *Hours after Publication hereof, March to his Excellence* Robert *Earl of* Eſſex, *to be employed for the Defence of his Majeſty and Kingdom, the Priviledges of Parliament, and the Liberty of the Subject.*

WHereas divers Regiments of Foot and Troops of Horſe, have long ſince been liſted in the Army raiſed by the Parliament for the Defence of the King and Kingdom, under the Command of *Robert* Earl of *Eſſex*, of which ſome are not marched away to their Rendezvouz, according to their Duty, and others are not of fitting Numbers for Service, yet all receive pay, to the great Charge of the Kingdom, and by this their Neglect do great prejudice to the publick Cauſe, in which Religion, Laws, and Liberty are ſo much concerned. It is therefore Ordained and Declared by the Lords and Commons in Parliament Aſſembled, That ſuch Regiments of Foot as conſiſt of Four hundred Men or more, and Troops of Horſe that conſiſt of Forty or more, ſhall within Forty eight hours after publication hereof March towards the place where they ſhall underſtand the Lord General to be, except by ſpecial Order they be directed to any other place; and they ſhall not ſtay by the way longer than for their neceſſary Refreſhment: And ſuch Regiments or Troops, as ſhall fail herein, or ſhall not conſiſt of ſuch Numbers as is before ſpecified; that is to ſay, a Regiment of Foot of Four hundred, and a Troop of Horſe of Forty ſhall be caſhiered, and alſo liable to ſuch further puniſhment, as upon Examination of the Cauſe of their failing and neglect, ſhall be found that they have deſerved. And the common Soldiers of ſuch Regiment or Troop ſo caſhiered, ſhall be diſpoſed of for the filling up and recruiting of others.

Parliaments Forces to March to their Rendezvouz, *Sept.* 23. 1642.

Yet in regard the Captains of ſome Regiments, which have not the Number of Four hundred, may have been careful to raiſe and compleat their own Companies, and that there is no reaſon they ſhould ſuffer for the Defaults of others, either the Colonels or other Captains that have not been ſo careful, it is thought fit that ſuch Captain of any Regiment now to be caſhiered, as ſhall have his Company compleat, ſhall be

An. 1642. continued together with his Company, and ſhall march unto the place where the Lord General ſhall be, to be diſpoſed of by him in any other Regiment, or otherwiſe employed, as his Lordſhip ſhall think fit.

And it is further declared, That the Regiments of Colonel *Eſſex* and Colonel *Ballard*, ſhall not be underſtood to be within this Order, in regard both thoſe Colonels have been, and yet are imployed in the Service of the State, and their Abſence may be a cauſe that their Regiments are not in that forwardneſs that otherwiſe they would have been; but they are hereby enjoyned with all poſſible ſpeed to March unto the Army,

Die Veneris, *Septemb.* 28. 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration ſhall be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

The King's March after he had ſet up his Standard.

The King, after the Erecting of his Standard at *Nottingham*, marched from thence to *Darby*, *Stafford*, and *Leiceſter*, and ſo to *Wales*, and at *Shrewsbury* his Army was Encreaſed to a conſiderable Body; and having great Quantities of Plate brought in to him, he erected a *New Mint*, and furniſhed himſelf with ſtore of Money. In his paſſage through the ſeveral Counties, the Gentry and People Aſſembled, and his Majeſty made Speeches unto them, as followeth.

His Majeſties Speech and Proteſtation made in the Head of his Army, between *Stafford* and *Willington*, the 19th of *Septemb.* 1642. after the Reading of his Orders of War.

Gentlemen,

The King's Speech and Proteſtation, *Sept.* 19. 1642.

YOu have heard theſe Orders read, it is your part, in your ſeveral places, to obſerve them exactly: The time cannot be long before we come to Action, therefore you have the more reaſon to be careful. And I muſt tell you, I ſhall be very ſevere in the puniſhing of thoſe, of what Condition ſoever, who tranſgreſs theſe Inſtructions. I cannot ſuſpect your Courage and Reſolution; your Conſcience and your Loyalty hath brought you hither to fight for your Religion, your King, and the Laws of the Land. You ſhall meet with no Enemies but Traytors, moſt of them Browniſts, Anabaptiſts *and* Atheiſts, *ſuch who deſire to deſtroy both Church and State, and who have already Condemned you to Ruin, for being Loyal to us. That you may ſee what uſe I mean to make of your Valour, if it pleaſe God to bleſs it with Succeſs, I have thought fit to publiſh my Reſolution in a Proteſtation, which when you have heard me make, you will believe you cannot fight in a better Quarrel, in which I promiſe to Live and Dye with you.*

His

18 *Caroli.*

His Majesties PROTESTATION.

The King's Protestation.

I Do promise in the presence of Almighty God, and as I hope for his Blessing and Protection, That I will to the utmost of my power, defend and maintain *The true Reformed Protestant Religion established in the Church of* England, and by the Grace of God, in the same will Live and Dye.

I desire to Govern by the known Laws of the Land, and that the Liberty and Property of the Subject may be by them preserved with the same Care as my own Just Rights. And if it please God, by a Blessing upon this Army raised for my necessary Defence, to preserve me from this Rebellion; I do solemnly and faithfully promise in the sight of God, to maintain the Just Priviledges and Freedom of Parliament, and to govern by the known Laws of the Land to my utmost power, and particularly to observe inviolably the Laws consented to by me this Parliament.

In the mean while, if this time of War, and the great necessity and straits I am now driven to, beget any Violation of those, I hope it shall be imputed by God and Man to the Authors of this War, and not to me who have so earnestly laboured for the Preservation of the Peace of this Kingdom.

When I willingly fail in these Particulars, I will expect no Aid or Relief from any Man, or Protection from Heaven: But in this Resolution I hope for the cheerful Assistance of all good Men, and am confident of God's Blessing.

His Majesties *SPEECH* to the Inhabitants of *Denbigh* and *Flintshire*, made at *Wrexham* the 27th of *September*, 1642.

The King's Speech to the Inhabitants of *Denbigh* and *Flintshire*, *Sept.* 27. 1642

I Am willing to take all Occasions to visit all my good Subjects, in which number I have Cause to reckon you of these two Counties; and having lately had a good Expression of your Loyalty and Affections to me by those Leavies, which at your Charge have been sent me from your Parts (which forwardness of yours, I shall always remember to your advantage) to let you know how I have been dealt with by a powerful malignant Party in this Kingdom, whose Designs are no less then to destroy my Person and Crown, the Laws of the Land, and the present Government both of Church and State. The Leaders of these Men, by subtilty and cunning practices, have so prevailed upon the meaner sort of People about London, *that they have called them up into frequent and dangerous Tumults, and thereby have chased from thence my self, and the greatest part of the Members of both Houses of Parliament; their Power and Secret Plots have had such Influence upon the small remaining part of both Houses, that under Colour of Orders and Ordinances made without the Royal Assent (a thing never heard of before this Parliament) I am robbed and spoiled of my Towns, Forts, Castles, and Goods, my Navy forceably taken from me, and imployed against me, all my Revenue is stopt and seized upon, and at this time a powerful Army is marching against me, I wish this were all; they have yet further laboured to alienate the Affections of my good*

An. 1642.

good People, they have moſt injuriouſly vented many falſe Reproaches againſt my Perſon and Government, they have diſperſed in print many notorious falſe Scandals upon my Actions and Intentions, and in particular, have laboured to caſt upon me ſome Aſperſions concerning the horrid, bloody, and impious Rebellion in Ireland. *They tell the People that I have recalled two Ships appointed for Guard of theſe Seas; 'tis true: But they conceal, that at the ſame time I ſent my Warrants to the* Downs, *commanding four as good Ships to attend that Service, inſtead of thoſe ſhould be recalled; which Warrant, by their means, could not find Obedience. They forget that they then imployed forty Ships (many of them my own, and all of them ſet forth at the publick Charge of this and that Kingdom) to rob and pillage me of my Goods, to chaſe my good Subjects, and maintain my own Town of* Hull *againſt me, and that by the Abſence of thoſe Ships from the* Iriſh *Seas, the Rebels have had opportunity to bring ſtore of Arms, Ammunition, and Supplies to their Succours (to which we may juſtly impute the Calamities, which have over-whelmed my poor Proteſtant Subjects there.) They cry out upon a few Suits of Cloaths appointed (as they ſay) for* Ireland, *which ſome of my Forces took, but conceal that they were taken as entring into* Coventry *(then in open Rebellion againſt me) where I had reaſon to believe they would have been diſpoſed of amongſt their Soldiers, who then bore Arms againſt me. They talk of a few Horſes which I have made uſe of for my Carriages (concealing that they were certified to be uſeleſs for Service of* Ireland) *when they themſelves have ſeized* 100000 *pounds, particularly appointed by an Act of Parliament for the Relief of* Ireland *(where my Army is ready to periſh for want of it) and imployed it (together with ſuch part of the* 400000 l. *Subſidy, as they have received) to maintain an unnatural Civil War at home. Neither have they uſed their fellow Subjects better than they have done me their King. By their power the Law of the Land (your Birthright) is trampled upon, and inſtead thereof, they govern my People by Votes and Arbitrary Orders. Such as will not ſubmit to their unjuſt unlimited Power, are impriſoned, plundred, and deſtroyed. Such as will not pay ſuch Exactions as they require towards this Rebellion, are threatned to be put out of Protection (as they call it) of the Parliament, ſuch as conſciencioufly remember their Duty and Loyalty to their Soveraign are reviled, perſecuted, and declared Traitors, ſuch as do deſire to maintain the true Proteſtant Religion, as it is eſtabliſhed by the Laws of the Land, are traduced and called Popiſh and Superſtitious; and on the contrary, ſuch as are known* Browniſts, Anabaptiſts, *and publick Depravers of the Book of* Common Prayer, *are countenanced and encouraged. They exact and receive Tunnage and Poundage, and other great Duties upon Merchandizes, not only without Law, but in the face of an Act of Parliament to the contrary, paſt this preſent Parliament, which puts all Men into the Condition of* Præmunire, *that ſhall preſume ſo to oppreſs the People. If you deſire to know who are the Contrivers of theſe wicked Deſigns, you ſhall find ſome of their Names in particular, and their Actions at large in my Declaration of the Twelfth of* Auguſt *(to which I ſhall refer you) I wiſh their Craft and Power were not ſo much, that few of thoſe Copies can come to the view of my good People; ſince that time theſe Men ſo thirſt after the deſtruction of this Kingdom, that they have prevailed to make all my Offers of Treaty (which might bring Peace to this Kingdom, and beget a good Underſtanding between me and my Parliament) fruitleſs in this Diſtreſs into which theſe Men have brought me, and this Kingdom. My Confidence is in the Protection of Almighty God, and the Affections of my good People: And that you may clearly ſee what my Reſolutions are, I ſhall cauſe*

cauſe my voluntary Proteſtation, lately taken, to be read to you; and I deſire that the Sheriffs of theſe two Counties will diſpoſe Copies of that, and what I now deliver unto you, having no other way to make it publick, theſe Men having reſtrained the uſe of my Preſſes at London, *and the Univerſities.* 18 *Caroli.*

His Majeſties *SPEECH* to the Gentlemen, Freeholders, and other Inhabitants of the County of *Salop* at *Shrewſbury*, the 28th of *September*, 1642.

The King's Speech to the Gentlemen, Freeholders, and other Inhabitants of the County of *Salop*, at *Shrewsbury*, *Sept.*82. 1642.

Gentlemen,

IT is ſome benefit to me, from the Inſolencies and Misfortunes which have driven me about, that they have brought me to ſo good a part of my Kingdom, and to ſo faithful a part of my People. I hope neither you nor I ſhall repent my coming hither. I will do my part that you may not, and of you I was confident before I came. The Reſidence of an Army is not uſually pleaſant to any place; and mine may carry more fear with it, ſince it may be thought, being robbed and ſpoiled of all my own, and ſuch Terrour uſed to fright and keep all Men from Supplying me, I muſt only live upon the Aid and Relief of my People. But be not afraid, I would to God my poor Subjects ſuffered no more by the Inſolence and Violence of that Army raiſed againſt me (though they have made themſelves wanton even with Plenty) then you ſhall do by mine; and yet I fear I cannot prevent all Diſorders. I will do my beſt; and this I'le promiſe you, no Man ſhall be a looſer by me, if I can help it.

I have ſent hither for a Mint, I will melt down all my own Plate, and expoſe all my Land to Sale or Morgage, that if it be poſſible, I may bring the leſs preſſure on you. In the mean time I have Summon'd you hither, to invite you to do that for me, and your ſelves, for the Maintenance of your Religion and the Laws of the Land, by which you enjoy all that you have, which other Men do againſt us. Do not ſuffer ſo good a Cauſe to be loſt for want of Supplying me with that which will be taken from you by thoſe who purſue me with this Violence. And whilſt theſe ill Men ſacrifice their Money, Plate, and utmoſt Induſtry to deſtroy the Commonwealth, be you no leſs liberal to preſerve it. Aſſure your ſelves, if it pleaſe God to bleſs me with Succeſs, I ſhall remember the Aſſiſtance every particular Man here gives me, to his Advantage. However, it will hereafter (how furiouſly ſoever the Minds of Men are now poſſeſſed) be honour and comfort to you, that with ſome Charge and Trouble to your ſelves, you did your part to ſupport your King, and preſerve the Kingdom.

I deſire Mr. Sheriff, and the reſt of the Gentlemen, to diſtribute themſelves, in that Method that they may beſt receive the Expreſſions which you ſhall make of your Affections, the which I will have particularly repreſented to me.

The Fight at *Powick-Bridge* near *Worceſter*, *Sept.*22. 1642.

But in the mean time, whilſt the King was making this Progreſs, the Earl of *Eſſex* being on his March with his Army towards *Worceſter*, intending that place for a Head-Quarter, wherein lay Sir *John Biron* with the King's Forces; Colonel *Richard Brown* being at *Aulcheſter* with his Regiment of Dragoons, and two Troops of Horſe, under the Command of *Nathaniel* and *John Fiennes*, moved the General, that with the Addition of ſome more Horſe, he might do Service in lying before the other part of that City, before the Groſs of the Army could come up, Ad-

and both prevent Supplies from going into the Town, and hinder thoſe Forces that were already in it, from getting out; ſo Colonel *Sandy*'s Regiment of Horſe, and three other Troops, were joined with him, who poſſeſſed themſelves of a Bridge at *Powick* over the River *Team*, about a Mile and an half from *Worceſter*, and drew up his Horſe in a Green on the left hand of the River, where they ſtaid all Night, and moſt part of the next day. But in the mean time Sir *John Biron* had ſent for Prince *Rupert* with a good Body of Horſe. And on *Friday*, *Septemb.* 22. about Four a Clock, Colonel *Sandys* being informed that the King's Forces were come out of the City, was eager to fight, but Captain *Nathaniel Fiennes* and Captain *Wingate* deſired a Party might firſt be ſent out to diſcover whether any Supplies were come to Sir *John Biron*, and in what Poſture they ſtood. Whereupon a Party was ſent out, but before they returned Colonel *Sandys* Advanced ſpeedily, and marcht through a narrow Lane, where but four could go a Breaſt, till they come to the lower part of a Field, in the upper part whereof Prince *Rupert*, Sir *Lewis Dives*, &c. with their Troops, were drawn up in a ready poſture to fight, who, before all the firſt five Troops of the Parliaments Horſe could be drawn up in Order (their other Troops not being come through the narrow Lane) Advanced with ſpeed, and both ſides diſcharged their Carabines and Piſtols, and preſently fell to point of Sword, where Colonel *Sandys*'s Cornet was kill'd, and himſelf mortally wounded, Major *Douglas* ſlain, and four Colours of the Parliaments Forces taken, and the Party being over-powered, were put to a diſorderly Retreat to *Powick-Bridge*, which Colonel *Brown*, with a Party of Dragoons, made good till his Forces got over it, and many of Prince *Rupert*'s Men were ſlain in ſtriving to gain that Paſs to purſue them. *Sandys* and *Douglas* fought ſtoutly, but loſt their Lives; and of the Parliaments Forces there were ſlain and taken about 30, as was reported the next day at *Worceſter*.

The Prince, by beating of theſe Forces, had opened a clear Paſſage for the King's Forces to go from the City of *Worceſter*, which, upon the Advance of *Eſſex*'s whole Army, the next Morning they thought fit to do, and betook themſelves to the King, who was now going into *Wales*, as aforeſaid.

Prince *Rupert*'s Letter to the King, *Sept.* 24 1642. touching this Action.

SIR,

THE Bearer hereof will, with all the Circumſtances, tell your Majeſty our Proceedings at Worceſter, *I ſhall only ſay this, That upon your Majeſties Commands to Succour the Town, we went thither with our Forces, and found the Rebels on both ſides of it; no Ammunition, nor any thing fitting to entertain ſo great a Force as the Lord of* Eſſex *would have brought that night; but all things in ſo great a Diſorder, that certainly we had all been loſt, had we not by a great Chance met with* 10 *Troops of their Horſe, and* 5 *of their Dragooners, which we did intirely Rout, and killed moſt of their chiefeſt Officers. The Manner and the Names I leave for the Bearer to tell you. Your Majeſty will be pleaſed to accept this as a beginning of your Officers and my Duty, and I doubt not, as (certainly) they behaved themſelves all bravely and gallantly, that hereafter your Majeſty ſhall find the ſame Behaviour againſt a more conſiderable Number. Of this your Majeſty may be very confident; as alſo of the Endeavours of*

SIR,

Your Majeſty's moſt obedient
Nephew and humble Servant,
RUPERT.

From *Bobfort*, *Sept.* 24. 1642.

The

18 *Caroli.*

Die Septemb. 29. 1642.

The Parliaments Order to Raiſe 1000 Dragoons, *Sept.* 29. 1642.

THE Lords and Commons in Parliament do conceive and find it neceſſary that a *Thouſand Dragoons*, with ſome Troops of Horſe, ſhould be raiſed ſpeedily, and be ſet forth for the ſuppreſſing of the malignant Party in *Lancaſhire*, and ſuch other Parts as my Lord General ſhall appoint, for protecting the well-affected People, and preventing of Forreign Power from Landing, that it will not only be taken and reſented by the Houſe for an acceptable Service in a time of great need, if any the well-affected and diſpoſed Perſons of the City of *London*, ſhall Advance the Sum of Sixteen thouſand pounds, for ſetting forth of ſuch a Power, But do declare that ſuch Advancers ſhall have the *Publick Faith* for the Repayment of ſuch Money ſo to be advanced, with Intereſt, after Eight pounds *per Cent.* And alſo ſhall be taken into conſideration by the Houſe, for a Recompence of their ſo forward and pious Act in a time of ſo great Neceſſity and Danger.

It is Ordered by the Houſes, That Sir John Wolleſton, John Towſe, John Warner, *and* Thomas Andrews, *Aldermen of the City of* London, *are appointed Treaſurers for the aforeſaid Subſcription Moneys.*

A Declaration of the Commons Aſſembled in Parliament, for bringing to Condign Puniſhment thoſe that have Raiſed Falſe and Scandalous Rumours *againſt the Houſe, how that they intend to Aſſeſs every Man's Power, and* Lay Exciſes *upon* Every Commodity.

Die Sabbati 8 *Octob.* 1642.

The Order of the Commons againſt Scandalous Reports, *Octob.* 8. 1642.

THE Commons Houſe of Parliament receiving Information, That divers publick Rumours and Aſperſions are by malignant Perſons caſt upon this Houſe, that they intend to *Aſſeſs every Man's Power, and lay Exciſe upon that and other Commodities*, the ſaid Houſe for their Vindication therein, Do declare that thoſe *Rumours are Falſe and Scandalous*. And foraſmuch as theſe falſe Rumours and Scandals are raiſed by ill-affected Perſons, It is therefore ordered, That the Authors of the *Falſe and Scandalous Rumours* ſhall be ſearched and enquired after, and Apprehended, and brought to this Houſe to receive Condign Puniſhment.

Ordered by the Commons in Parliament, That this be forthwith printed and publiſhed.

Hen. Elſyng. Cler. Parl. D. Com.

An. 1642.

The Miſchiefs occaſion'd by Conveying away the Great Seal *from the Parliament (repreſented to the Lords at a Conference by Serjeant* Wilde, *on* Tueſday, October *the* 10*th*) *are theſe:*

Great Seal.

1. IT was ſecretly and unlawfully carried away by the Lord Keeper, contrary to the Duty of his Place, who ought himſelf to have attended the Parliament, and not to have departed without leave; nor ſhould have been ſuffered to convey away the *Great Seal*, if his Intentions had been diſcovered.

2. It hath been ſince taken away from him, and put into the hands of other dangerous and ill-affected Perſons; ſo as the Lord Keeper being ſent unto by the Parliament for the Sealing of ſome Writs, returned anſwer, *That he could not Seal the ſame, becauſe he had not the Seal in his keeping.*

3. Thoſe who had the managing thereof, have employed it to the Hurt and Deſtruction of the Kingdom ſundry ways, by making new Sheriffs in an unuſual and unlawful manner, to be as ſo many Generals or Commanders of Forces raiſed againſt the Parliament, by iſſuing out illegal Commiſſions of Array, with other unlawful Commiſſions for the ſame purpoſe. By ſending forth Proclamations againſt both Houſes of Parliament, and ſeveral Members thereof, proclaiming them Traitors, againſt the Priviledges of Parliament, and Laws of the Land. By Sealing Commiſſions of *Oyer* and *Terminer* to proceed againſt them, and other of his Majeſties good Subjects adhering to the Parliament, as Traitors. By ſending Commiſſions into *Ireland* to Treat a Peace with the Rebels there, contrary to an Act of Parliament made this Seſſion. Beſides, divers other dangerous and illegal Acts have been paſſed under the Great Seal, ſince it was ſecretly convey'd away from the Parliament, whereby great Calamities and Miſchiefs have enſued, to the Kingdoms prejudice.

A Declaration *and* Proteſtation *of the Lords and Commons in Parliament, to this Kingdom, and to the whole World,* Octob. 22. 1642.

The Parliaments Proteſtation to the whole World. *Oct.*22.1642.

WE the Lords and Commons in this preſent Parliament Aſſembled, do in the Preſence of Almighty God, for the Satisfaction of our Conſciences, and the Diſcharge of that great Truſt which lies upon us, make this *Proteſtation* and *Declaration* to this Kingdom and Nation, and to the whole World, *That no private Paſſion or Reſpect, no evil Intention to his Majeſty's Perſon, no Deſign to the Prejudice of his juſt Honour and Authority, ingaged us to raiſe Forces, and take up Arms againſt the Authors of this War, wherein the Kingdom is now inflamed.*

And we have always deſired from our Hearts and Souls, manifeſted in our Actions and Proceedings, and in ſeveral humble Petitions and Remonſtrances to his Majeſty, profeſſed our Loyalty and Obedience to his Crown, Readineſs and Reſolution to Defend his Perſon, and Support his Eſtate with our Lives and Fortunes, to the uttermoſt of our Power. That we have been willing to paſs by, not only thoſe Injuries, Ignominies,

nies, Slanders, and falſe Accuſations, wherewith we have been privily oppreſſed and grieved, but likewiſe many publick Incroachments, and high Uſurpations, to the prejudice of Religion and Liberty, divers bloody, traiterous and cruel Practiſes and Deſigns, for the utter Ruin and Deſtruction of the Church and State, ſo as we might for the time to come have been ſecured from that wicked and malignant Party; thoſe pernicious and traiterous Councels, who have been the Authors and Fomenters of the former Miſchiefs and preſent Calamities which have, and ſtill do diſtemper this Church and State. 18 *Caroli.*

That for the ſame purpoſe, and for the avoiding of Blood, we directed the Earl of *Eſſex*, Lord General, by himſelf or others, in ſome ſafe and honourable way, to cauſe to be delivered an humble Petition, wherein we do deſire nothing from his Majeſty, but that he would return in peace to his Parliament, and by their faithful Counſel and Advice, compoſe the Diſtemper and Confuſion abounding in his Kingdoms, as he is bound to do; we therein profeſs in the ſight of Almighty God, which is the ſtrongeſt Obligation that any Chriſtian, and the moſt Solemn Publick Faith which any ſuch State as a Parliament can give, that we would receive him with all Honour, yield him all true Obedience and Subjection, and faithfully endeavour to defend his Perſon and Eſtate from all Danger, and to the uttermoſt of our power to eſtabliſh him and his People in all the Bleſſings of a glorious and happy Reign, as it is more largely expreſt in that Petition.

For the delivery of which Petition, his Excellency hath twice ſent unto the King, humbly deſiring a Safe-Conduct for thoſe who would be employed therein; but his Majeſty refuſed to give any ſuch Safe-Conduct, or to receive this humble and dutiful Petition, by any Addreſs from the Earl of *Eſſex*, ſaying, *That if Juſtice had been done, the Gentleman which brought the ſecond Meſſage could not expect his Liberty.*

By all which, with many other Evidences and Inducements, we are fully convinced in our Judgment and Belief, That the King's Counſels and Reſolutions are ſo engaged to the Popiſh Party, for the Suppreſſion and Extirpation of the true Religion, that all hopes of Peace and Protection are excluded, and that it is fully intended to give Satisfaction to the Papiſts, by alteration of Religion, and to the Cavaliers and other Soldiers, by expoſing the Wealth of the good Subjects, eſpecially of the City of *London*, to be ſackt, plundered, and ſpoiled by them.

That for the better effecting hereof, great numbers of Papiſts have in ſhew conformed themſelves to the Proteſtant Religion, by coming to the Church, receiving the Sacrament, and taking the Oaths of Allegiance and Supremacy, which ſome of our own Prieſts have encouraged them to do, by maintaining, *That they might do all thoſe things, and yet continue good Catholicks*; under which cover his Majeſty did at firſt begin to ſtrengthen himſelf, thoſe of that Religion being weak and unable to endure the envie and diſcontent which the arming of a Papiſt would procure in the Kingdom, and therefore endeavoured to keep off all Jealouſies and Suſpitions, by many fearful Oaths and Imprecations, concerning his purpoſe of maintaining the Proteſtant Religion, and the Laws of the Kingdom, cauſing ſome profeſt Papiſts to be diſcharged out of his Army, and none to be received, that would not endure the Teſt of coming to Church, receiving the Sacrament, and taking the Oaths of Allegiance.

That his Majeſty being now grown ſtronger, and able, as he conceives, to make good his own Ends by Arms; his Confidence in the Prieſts doth more clearly appear: Perſons impriſoned for Prieſts, and

An. 1642. Jeſuits have been releaſed out of the Goal of *Lancaſter*, profeſt Papiſts have been invited to riſe and take up Arms, Commiſſions under his Majeſty's Authority, have been granted to many of them for places of Command in this War, with power to raiſe Men, and great Numbers have been raiſed by them, and they daily increaſe; as namely, to Sir *Nicholas Thornton*, Sir *Thomas Howard*, Baronet, Sir *Edward Widdrington*, Sir *William Kiddell*, Mr. *Smith* of *Aſh*, Mr. *George Wray*, Mr. *Edward Gray* of *Morph-Caſtle*, Mr. *Lancelot Errington* of *Dennington*, Mr. *Lancelot Holthy*, all of *Northumberland*, Biſhoprick of *Durham*, and *Newcaſtle*, to Mr. *Clifton*, Mr. *William Walter*, Sir *William Garrard*, Baronet, Sir *Cecil Strafford*, Mr. *Anderſon* of *Loſtock* in the County of *Lancaſter*, and divers Forces are raiſed and paid by the Earl of *Worceſter*, and his Son the Lord *Herbert*, a notorious Papiſt, is made General of all *South-Wales*: And we are informed out of *Yorkſhire*, by divers Perſons of great worth and quality, That thoſe that raiſe Forces in thoſe parts for his Majeſty, do arm and imploy Papiſts, and uſe their Advice in their Conſultations; all which is contrary to the Solemn Oaths, Proteſtations and Execrations whereby his Majeſty bound himſelf to maintain the Proteſtant Religion, and the Laws of the Land, by which he endeavoured to get a Confidence in the People of his good Intentions, which, how well it is anſwered, we leave to the World to judge.

That Sir *John Hinderſon* and Colonel *Cockram*, Men of ill-report, both for Religion and Honeſty, have been ſent to *Hamburgh* and *Denmark*, as we are credibly informed, to raiſe Forces there, and to bring them to *Newcaſtle*, and to join with the Earl of *Newcaſtle*, and the Army of Papiſts which they intend to raiſe there; and that divers Endeavours have been uſed in other Forreign parts to bring in ſtrange Forces into the Kingdom; that the King hath received about him divers Papiſts in *Ireland*, ſome of which are Indicted of High Treaſon for their Rebellion there, notoriouſly known to have been in actual Rebellion; namely, the Lord *Taffe*, Sir *Oungané*, proclaimed a Rebel, Col. *Fitz-Williams*, Dr. *Meara* Indicted for the Rebellion in *Ireland*, and fled for the ſame, and yet Phyſician to Prince *Rupert*; and his Majeſty hath ſent for the Petition of the *Iriſh* Rebels, which the Juſtices had ſtopt, with evident Expreſſions of favour to them, whereby that Kingdom is like to become an unfit Habitation of any Proteſtants, and a Seminary of War and Treaſon againſt this Kingdom.

That divers Engliſh Traitors, Actors in the former Deſigns againſt the Kingdom and Parliament, are the chief Counſellors and Actors in this unnatural War againſt his Subjects, as the Lord *Digby*, *Oneal*, *Wilmot*, *Pollard*, *Aſhburnham*, and others.

That we have been likewiſe credibly informed, That divers Jeſuits and Prieſts in Forreign parts, make great Collections of Money for the Relief of the Papiſts in *Ireland*, and the furthering of his Majeſty's Deſigns here againſt the Parliament, and that by them, and thoſe others fled out of this Kingdom for Treaſon, great means are made to take up the differences betwixt ſome Princes of the *Roman* Religion, that ſo they might unite their ſtrength for the Extirpation of the Proteſtant Religion, wherein principally this Kingdom, and the Kingdom of *Scotland* are concerned, as making the greateſt Body of the Reformed Religion in Chriſtendom, and beſt able to defend themſelves, and ſuccour other Churches.

For all ſuch Reaſons we are reſolved to enter into a *Solemn Oath and Covenant* with God, to give up our Selves, our Lives and Fortunes into his Hands, and that we will, to the uttermoſt of our Power and

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Judgment, maintain his Truth, and conform our ſelves to his Will, that we will Defend this Cauſe with the hazard of our Lives againſt the King's Army, and againſt all that joyn with them in the Proſecution of this wicked Deſign, according to the Form to be agreed upon by both Houſes of Parliament, to be Subſcribed by our Hands; and that we will for the ſaid Ends aſſociate our ſelves, and unite with all the well-affected in the City of *London*, and other parts of his Majeſty's Dominions. 18 *Caroli.*

That we expect our Brethren of *Scotland*, according to the *Act of Pacification*, whereby the two Kingdoms are mutually bound to ſuppreſs all Debates and Differences, to the Diſturbance of the Publick Peace, that they will help and aſſiſt us in Defence of the Cauſe, which if the Popiſh Party prevail, muſt either invalid them in that Alteration of Religion which will be made here, or engage them in a War againſt this Kingdom, to defend their own Religion and Liberty, and we doubt not but the God of Truth, and the great Protector of his People, will aſſiſt and enable us in this our juſt Defence, to reſtrain the Malice and Fury of thoſe that ſeek our Ruin, and to ſecure the Perſons, Eſtates, and Liberties of all that joyn with us, and to procure and eſtabliſh the Safety of Religion, and Fruition of our Laws and Liberties in this and all other his Majeſties Dominions, which we do here again profeſs before the ever living God, to be the chief End of all our Counſels and Reſolutions, without any intention or deſire to hurt or ruin his Majeſty, either in his Perſon, or Juſt Power.

Octob. 22. 1642.

Ordered by the Lords and Commons in Parliament, that this Declaration be forthwith printed, and read in all Churches and Chappels in England *and* Wales, *by the Parſons, Vicars, or Curates of the ſame.*

J. Browne Cler. Parliamentorum.

Though his Majeſty's Anſwer to this Declaration did not come out till after the Battel at *Edghill*, yet I think it will be more for the Reader's ſatisfaction immediately to ſubjoin it, though tis fit to give him this Advertiſement, for the better apprehending ſome Expreſſions therein.

His Majeſty's Declaration *to all his loving Subjects, upon Occaſion of a late printed Paper, Entituled,* A Declaration and *Proteſtation* of the Lords and Commons in Parliament to this Kingdom, and the whole World, *of the Two and twentieth of* October, 1642.

IF in truth the Framers of this Declaration are not engaged by any private Paſſion or Reſpect, by any evil intention to our Perſon, or deſign to the prejudice of our juſt Honour and Authority to raiſe theſe Forces and Army againſt us, as they call Almighty God to witneſs they are not, they will think it their Duty to diſclaim the Protection of the Conductors of that Army, who the next day after this ſo Solemn Proteſtation, uſed their utmoſt power, by the ſtrength of that Army, to have deſtroyed, and put our Perſon (for whoſe defence they would make the World believe this Army is raiſed) into as much danger as the skill and

An. 1642. and malice of deſperate Rebels could do, otherwiſe this Proteſtation now made, will appear of the ſame Nature with thoſe by which they promiſed to make us a *glorious King*, when by their Nineteen Propoſitions they endeavoured to ſtrip us of all thoſe Rights which made us a King, and them Subjects.

What thoſe Actions and Proceedings have been, which have manifeſted their Loyalty and Obedience unto us, will be as hard to find, as their humble Petitions and Remonſtrances, when in truth their Actions have been the greateſt Scorns of our Authority, and their Petitions the greateſt Reproaches and Challenges of us, which any Age have produced; and we have not only the clear Evidence of our own Conſcience, but the Teſtimony of all good Men, that we left no Action unperformed on our part, which might have prevented the Miſery and Confuſion which the Ambition, Fury and Malice of theſe Seditious Perſons have brought upon this poor Kingdom; neither is there any thing wanting to the happineſs of Church and State, but that Peace and Order which the Faction of theſe Men have robbed them of.

But they direct their General, the Earl of *Eſſex*, to deliver an humble Petition to us, wherein they deſire nothing from us, but that we would return in Peace to our Parliament, and by their faithful Counſel and Advice, to compoſe the Diſtempers and Confuſions abounding in our Kingdoms, as we are bound to do. We were never ſo backward in receiving, or ſo ſlow in anſwering the Petitions of either, or both our Houſes of Parliament, that there was need by an Army to quicken us, which either or both Houſes of Parliament have, in no caſe, no more ſhadow of Right or Power to raiſe by any Law, Cuſtom, or Priviledge, then they have by their Votes to take away the Lives and Fortunes of all the Subjects of *England*; yet the Framers of this Declaration take it unkindly, that upon their Profeſſion in the ſight of Almighty God (which is, they ſay) the ſtrongeſt Aſſurance that any Chriſtian can give) we did not put our ſelf into their hands; thoſe hands which were lifted up againſt us, and filled at that time with Arms to deſtroy us; and leave a ſtrength God hath ſupplied us with, of good and faithful Subjects, who notwithſtanding all their Threats and Menaces, had brought themſelves to our Aſſiſtance. If that Petition had been ſo humble as they pretended, they would not have loſt the advantage of publiſhing it in this their Declaration, that the World might as well have been Witneſs of our Refuſal of Peace, as it hath been of their Diſdain of any way to it, when they rejected our ſeveral earneſt Offers of a Treaty.

But why did they not ſend this humble Petition? His Excellency twice ſent unto us for a Safe-Conduct for thoſe who ſhould be imployed therein, and we refuſed to give any, or to receive the humble and dutiful Petition. Sure, when our good Subjects ſhall underſtand the ſtrange Enmity between theſe Men and Truth, the no Conſcience they uſe in publiſhing, and informing thoſe by whom they pretend to be truſted, things monſtrous and contrary to their own knowledge, they will not be leſs offended with their falſhood to them, than their Treaſon to us. *'Tis well known, we never refuſed to give Admittance to any Meſſage or Petition from either or both Houſes of Parliament; their Meſſengers have been received and entertained, not only with that ſafety, but with that candor, as is due to the beſt Subjects, when their Errand had been full of Reproach and Scorn, and the Bringers bold, arrogant, and ſeditious in their demeanours, and therefore there needed to have been no more ſcruple made in the delivery of this, then the other Petitions which have been brought us. The truth is, we were no ſooner

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acquainted at *Shrewsbury*, by the Earl of *Dorſet*, that he had received a Letter from the Earl of *Eſſex*, intimating that he had a Petition from both Houſes to be delivered to us, and to that purpoſe asking a Safe-Conduct for thoſe who ſhould be ſent; but we returned this Anſwer, *That as we had never refuſed to receive any Petition from our Houſes of Parliament, ſo we ſhould be ready to give ſuch a Reception and Anſwer to this, as ſhould be fit, and that the bringers of it ſhould come and go with all Safety, only we required that none of thoſe Perſons, whom we had particularly Accuſed of High Treaſon, ſhould be by colour of that Petition imployed to us.* After this we heard no more till a ſecond Letter, at leaſt a Fortnight after the firſt to the Earl of *Dorſet*, informed us, that our former Anſwer was declared to be a Breach of Priviledge, that we would not allow any Meſſengers to come to us; that is, we were not content that ſuch Perſons, who had conſpired our Death, might ſecurely come into our Preſence. Our ſecond Anſwer differed little from our former; inſiſting, *That the Addreſs ſhould not be made by any of thoſe Perſons whom we had particularly Accuſed of High Treaſon, amongſt whom the Earl of* Eſſex *himſelf was one; but declaring that our Ear ſhould be ſtill open to hear any Petition from our two Houſes of Parliament.* Whether this were a denial from us to receive their Petition; or whether, if our two Houſes of Parliament had indeed deſired to treat with us by Petition, they might not as well have ſent it to us, as they have done ſince their Inſtructions to their Ambaſſadours into *Ireland*, and their new Bill for rooting out Epiſcopacy, and deviſing a new Form of Church Government, let all the World judge. We have reaſon to believe, that the Petition then prepared for us, (if we have ſeen the true Copy of it) was thought by the Perſons truſted for the preſenting of it, fitter to be delivered after a Battel and full Conqueſt of us, then in the Head of our Army, when it might ſeem ſomewhat in our power, whether we would be Depoſed, or no. For that continued diſhoneſt Accuſation of our Inclination to the Papiſts, which the Authors of it in their own Conſciences (which will one day be dreadful to them) know to be moſt unjuſt and groundleſs) we can ſay no more, and we can do no more to the Satisfaction of the World. If they know that the *Romiſh* Prieſts have encouraged thoſe of that Religion to conform themſelves to the Proteſtant Religion, by coming to Church, receiving the Sacrament, and taking the Oaths of Allegiance and Supremacy, they are more converſant with the Subtilties of them than we are; but we muſt confeſs, till we be certain they have found that way to deceive us; that is, to delude the Laws which are againſt them, we ſhall in Charity believe their Conformity to be real, and not pretended. But that any Prieſts or Jeſuits impriſoned have been releaſed by us out of the Goal of *Lancaſter*, or any other Goal, is as falſe, to uſe an Expreſſion of their own, as the Father of Lyes could invent. Neither are the Perſons named in that Declaration to whom Commiſſions are ſuppoſed to be granted for places of Command in this War, ſo much as known to us; nor have they any Command, or to our knowledge, or are preſent in our Army. And 'tis ſtrange, that our Oaths and Proteſtations before Almighty God for the Maintenance of the Proteſtant Religion ſhould be ſo ſlighted in the end of that Declaration, when in the beginning of it, it is acknowledged to be the ſtrongeſt Obligation and Aſſurance that any Chriſtian can give; we deſire to have our Proteſtations believed by the Evidence of our Actions; but they are informed (and that is Ground enough for them to lay the baſeſt Imputation upon their Soveraign) *That Sir* John Henderſon *and* Col. *Cockram* (*Men of ill Report both for Religion and Honeſty*) *are*

18 *Caroli.*

An. 1642. *are ſent to* Hamborough *and* Denmark (we thought we ſhould have heard no more News from *Denmark*) *to raiſe Forreign Forces, and to bring them hither.* We have before in our Declarations, (ſufficient to ſatisfie any honeſt Man) declared our Opinion and Reſolution concerning Forreign Force; and we had never greater Cauſe to be confident of Security in our own Subjects, and therefore cannot believe ſo vile a Scandal can make any Impreſſion in ſober Men, let a Liſt of the Nobility and Gentry about us, and in our Service, be viewed, and will they not be found the moſt zealous in the Proteſtant Religion, the moſt eminent in Reputation of the greateſt Fortunes, and the greateſt Fame, the moſt publick Lovers of their Country, and moſt earneſt Aſſertors of the Liberty of the Subject, that this Kingdom hath; how different the Reputation of the principal Ring-leaders of this Faction and Rebellion is, how careful they are of imploying vertuous and honeſt Men, is apparent to all the World, when they have entertained all the deſperate and neceſſitous perſons (whereof very many are Papiſts, which we ſpeak knowingly, as having taken ſeveral of them Priſoners) they can draw to them; and when they Superſede a Proceeding at Common Law for an odious and infamous Crime, that Mr. *Griffin* may have liberty to keep them Company in this Rebellion.

For our Affection and gracious Inclination to the City of *London*, and how far we are from any ſuch purpoſe, as theſe impious Men charge us with, appears in our late Proclamation, in which we declare the Suburbs to be comprehended, as well as the Cities of *London* and *Weſtminſter*, to which we doubt not they will give that Credit and Obedience, as we ſhall have cauſe to commend their Loyalty in joyning with us to Suppreſs this Rebellion, which uncontrouled, in a ſhort time muſt make that place moſt miſerable.

Of the Oath and Covenant which they threaten us with, if it be to engage them to do, or not to do any thing contrary to their Oaths, they have already taken off Allegiance and Supremacy, as it cannot oblige them being taken, ſo we doubt not, our good Subjects will eaſily diſcern that it is a Snare to betray and lead them into a Condition of the ſame Guilt, and ſo of the ſame Danger with themſelves; and we muſt therefore declare, whoſoever ſhall hereafter ſuffer himſelf to be cozened by theſe Stratagems, and take ſuch a voluntary Oath againſt us, we ſhall impute it to ſo much Malice, as will render him uncapable of our Pardon, and ſhall proceed againſt him as a deſperate Promoter of Sedition, and an Enemy to the Kingdom.

Let all honeſt men remember the many gracious Acts we have paſſed this Parliament for the eaſe and benefit of our People, that when there was nothing left undone or unoffered by us, which might make this Nation happy, theſe miſchievous Contrivers of Ruin, inſtead of acknowledging our Grace and Juſtice, upbraided us with all the Reproaches Malice and Cunning could invent, in a Remonſtrance to the People (a thing never heard of till that time) that having thus incenſed mutinous and ſeditious Minds, they made uſe of them to awe the Parliament, drave us, and the major part of both Houſes from our City of *London*, that they took away our Fort and Town of *Hull* from us, kept us from thence by force of Arms, and imployed our own Magazine againſt us; that they ſeized upon our Royal Navy, and with it chaſed our good Subjects, and kept all Supply from us; that they voted away our Negative Voice, and then raiſed a formidable Army to deſtroy us; that when they had thus compelled us, by the help of ſuch of our good Subjects, who againſt the Fury of theſe Men durſt continue Loyal, to raiſe

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ſome Power for our Defence, they abſolutely and peremptorily refuſed to Treat with us for the Peace of the Kingdom. And laſtly, that on the Three and twentieth Day of *October*, they brought this Army (raiſed for the Defence of our Perſon) into the Field againſt us, and uſed their beſt skill and means to deſtroy us, and our Children; we ſay, whoever remembers and conſiders this Progreſs of theirs, will think of no other Covenant than to joyn with us in the apprehending the Authors of this miſerable Civil War, that Poſterity may not with ſhame and indignation find, that a few Schiſmatical, Ambitious Perſons, were able to bring ſuch a flouriſhing glorious Kingdom, which hath ſo long reſted the Envy of Chriſtendom, to a ſpeedy Deſolation, to ſatisfie their own Pride and Ambition; and we doubt not, our good Subjects of *Scotland*, will never think themſelves engaged by the *Act of Pacification* (to which we willingly conſented) to aſſiſt a Rebellion againſt their own natural King, for the aſſiſtance of Perſons accuſed, and notoriouſly known to be guilty of High Treaſon, the bringing of whom to Condign Puniſhment, would (with God's Bleſſing) be a ſpeedy means of Happineſs and Peace to our three Kingdoms. 18 *Caroli.*

The Earl of *Eſſex* having Garriſon'd *Northampton*, *Coventry*, and *Warwick*, marched towards *Worceſter*, where part of his Forces were diſcomfited by Prince *Rupert*; but yet the Prince forced to quit the City, as is afore-mentioned. There *Eſſex* continuing for ſome time. The King having greatly augmented his Army at *Shrewsbury*, and the adjacent Counties, reſolved to March directly for *London*; and having, by reaſon of *Eſſex*'s ſtay at *Worceſter*, got before him, put the Parliament and City into no ſmall Apprehenſions, and therefore they conſulted all means to obſtruct his March, and haſten *Eſſex* after him. The Earl of *Eſſex*'s Marches.

Whereupon enſued the Battel at *Edghill* near *Keinton* in *Warwickſhire*, where the Victory being Challeng'd by either Party, and very differently related, I ſhall, to avoid the imputation of Partiality, give you the Narratives thereof, as they were then publiſht on each ſide by Authority.

A Relation of the Battel fought between Keynton *and* Edghill, *by his Majeſty's Army and that of the Rebels; Printed by his Majeſty's Command at* Oxford *by* Leonard Lichfield, *Printer to the Univerſity*, 1642.

UPon *Saturday* the 23d of *October*, 1642. his Majeſty had given Order for the Summoning of *Banbury*, and in Caſe of Refuſal, the Beſieging of it with 4000 Foot and four Pieces of Cannon; but that Evening Intelligence was brought that the Rebels had a Reſolution to Relieve it; but it was not ſo certain, as to make any Change of the former Orders; yet upon *Sunday* at Three in the Morning, there came certain Intelligence, that the whole Army of the Rebels were Marching with all Expedition thither, and were quartered at *Keynton* 3 Miles from *Edghill*; whereupon the King gave preſent Order for all his Army, both Horſe and Foot, to March with all Expedition to *Edghill*, being 4 Miles diſtant from his neareſt Quarter. To which Rendezvouz the King's Horſe came between 10 and 11 a Clock in the Morning, and the Van of the Foot came within an hour after, but the Rear (which happened at that time to be the Lord-Lieutenant-General's Regiment) with the Artillery, came not The Relation of *Edghill* Fight, as ſet forth on the King's ſide, *Oct.* 23. 1642.

An. 1642. within 2 hours after. As ſoon as we came to the Top of *Edghill*, which looks upon *Keynton*, we ſaw the Rebels Army drawing out, and ſetting themſelves in Battalia; whereupon the King's Horſe went down the Hill, and ſet themſelves in order; the Foot likewiſe having Command to come down the Hill, and do the like; but before that was done, and the King's Artillery came, it was paſt 2 in the Afternoon.

It being perceived that the Rebels had placed ſome Muſqueteers under a Hedge that croſt the Field, where the Encounter was to be made, that flanked upon their left Wing, there were ſome of the King's Dragooners ſent to beat them off, which they very well performed; whereupon our whole Army advanced in very good Order, the Ordnance of both ſides playing very faſt, but that of the Rebels began firſt. The Charge began between the 2 Wings of Horſe; thoſe of the Rebels not ſtanding our Charge a quarter of an hour before they fled, our Men having the Execution of them for 3 Miles together, the Horſe of both our Wings routing their Foot as well as their Horſe, and 2 whole Regiments of their Foot were abſolutely cut off, by thoſe of their left Wing, beſides thoſe put into Diſorder by our Right. Whilſt this was doing, the Bodies of the Foot met the King's Regiment of Guard, and the Earl of *Lindſey*'s, giving the firſt Charge, which was very well diſputed a long time, until the Reſerve of the Rebel's Horſe (which had never been Charged) Charged our Foot upon the Flank, which our Foot reſiſted a good while, but at length not being ſeconded by our Reſerve of Horſe, which, contrary to our Order, thinking the Day was ſurely won, had followed the Execution of the Rebels ſo far, that they could not come in time to relieve them, they were put into ſome Diſorder, in which the King's Standard (the Standard-Bearer being ſlain) and the Lord *Willoughby*, ſeeking to relieve his Father, who fell, being ſhot in the Leg, was, together with his Father, made Priſoner; but the Standard was ſoon relieved by the Lieutenant of the Lord *John Steward*'s Troop (Capt. *Smith*) being newly returned from the Execution of the Rebels, the Left-ſide of our Foot being put into Diſorder, all the reſt gave way; yet thoſe of the Right hand were never put into Diſorder: But ſeeing ſome of the Cannon in danger to be loſt, advanced again, and made the Place good; the Left hand of the Rebels Foot coming on apace to Charge them. By this time the Right Wing of our Horſe was returned from Chaſing the Rebels, and were in ſome Confuſion, becauſe they came from the Execution; but ſeeing our Foot and Cannon in ſome danger to be loſt, by reaſon that the Rebels Horſe and Foot (thoſe Horſe which had never been Charged) advanced in good Order to Charge; ours made a ſtand, and ſoon rallied together, having ſome Dragooners with them, and ſo advancing, made the Dragooners give them a Volly or two of Shot, which made the Rebels inſtantly retire. By this time it was grown ſo dark, that our Chief Commanders durſt not Charge for fear of miſtaking Friends for Foes (though it was certainly concluded by them all, that if we had had light enough, but to have given one Charge more, we had totally routed all their Army; whereupon both Armies retreated, ours in ſuch Order, that we not only brought off our own Cannon, but 4 of the Rebels, we retiring to the Top of the Hill from whence we came; becauſe of the advantage of the Place, and theirs to the Village where they had been quarter'd the Night before.

The King with the whole Body of the Horſe, and thoſe of the Foot which were not broken, quartered upon and on one ſide of the Hill, all that Night; and in the Morning, as ſoon as it was Day, drew half the Body of the Horſe into Battalia, at the Foot of the Hill, and the reſt of the

the Horſe and the Foot on the Top of the Hill, where the Standard was placed; and having notice that 3 of the Rebels Cannon were left half way between us and their Quarter, ſent out a Body of Horſe, and drew them off, they not ſo much as offering to relieve them: So both Armies, facing one another all day, retired at Night to their former Quarters. 18 *Caroli.*

The Rebels in this Battel loſt above 70 Colours of Cornets and Enſigns; we 16 Enſigns, but not one Cornet; but our Horſe relieved not only the Standard, but divers of our Enſigns.

For the ſlain on both ſides, the Number is uncertain; yet it is moſt certain that we killed five for one. It is true, that their Chief Officers having fleeter Horſes then ours, not ſo many of their Foot, as ours, were ſlain and taken Priſoners, to our knowledge as yet; but we loſt no Officer of Horſe, excepting the Lord *Aubigny*.

The next Day after the Battel, the Earl of *Eſſex* finding his Army extreamly weakned and diſheartned by the great Blow they had received by his Majeſties Forces, withdrew himſelf to *Warwick* Caſtle; and the ſame Night the remainder of his Forces went alſo privately thither much diſtracted, whereof Prince *Rupert* having Notice, the next Morning purſued them, but they were all got into *Warwick*, or diſperſed before he could overtake them; but his Highneſs took 25 Wagons and Carriages of the Rebels, laden with Ammunition, Medicaments, and other Baggage, whereof he brought away part, and fired the reſt.

This ſudden returning back of the Rebels to *Warwick*, is not only a ſure Argument of the weakneſs of their Army, but hath exceedingly diſheartned all the Country which adhered to them, and were before (upon a falſe Rumor that the King's Forces were defeated) ready to have riſen and fall'n upon his Majeſty's Forces.

The 26th his Majeſty by *Clarenceux* King of Arms, ſent a Summons to *Banbury*, which being not thereupon yielded, his Majeſty the next Day drew out part of his Army, with ſome Ordnance, againſt the ſaid Town; upon the approach of which, the Rebels Forces (being the Earl of *Peterborough*'s Regiment which were in the Town, to the number of 600) came out, laid down their Arms, and asked his Majeſty Pardon; and immediately the Town was rendred up. Upon which his Majeſty ſent out ſome of his Principal Officers to diſcover, and bring away, all ſuch Arms and Ammunition as were found in the Town, and to take up, upon Tickets, all Woollen Cloth, Stockens, Shoes and Victuals, for the Accommodation of his Soldiers, forbidding all manner of Plundering, and permitting only one Regiment to enter and remain in the Town that Night.

A Relation of the Battel between his Majeſty's Army and the Parliaments Forces, under the Command of the Earl of Eſſex, *at* Edghill *near* Keynton *in the County of* Warwick, Octob. *the* 23*d*, 1642. *as it was communicated to the Speaker and Commons Aſſembled in Parliament, and by them Ordered to be printed and publiſhed.*

H. Elſynge Cler. Parl. D. Com.

The Account of the Battel at *Edghill*, *Oct.* 23. 1642. as publiſhed by Order of the Parliament.

SIR,

WE ſhould do our Army a great deal of wrong, and not diſcharge our Duty of Thankfulneſs towards God, if we took not the firſt occaſion to declare his goodneſs, in giving ſo great a Bleſſing, as he hath now

An. 1642.

now done to the reſolute and unwearied Endeavours of our Soldiers fighting for him in the maintenance of his Truth, and for themſelves and their Country, in the defence of their Liberties and the Priviledges of Parliament; this makes us give you now a Narration of a bleſſed Victory which God hath given us upon the Army of the Cavaliers, and of thoſe Evil Perſons, who upon *Sunday* the 23d of this Inſtant, engaged his Majeſty in a dangerous and bloody Fight againſt his faithful Subjects, in the Army raiſed by Authority of Parliament, for the preſervation of his Crown and Kingdom. We marched from *Worceſter*, *Wedneſday* the 19th, upon Intelligence that their Army was removed from *Shrewsbury* and *Bridgenorth* and bending Southward, our Train of Artillery was ſo unready, through want of Draught-Horſes, and through other Omiſſions of Monſieur *Du-Boys*, that we were forced to leave it behind to follow us, and with it the Regiments of Col. *Hambden* and Col. *Grantham*; and ſtaying for it, we could advance no further than to a little Market Town called *Keynton*, in *Warwickſhire*, 6 Miles from *Warwick*; whether we came the *Saturday* Night with 11 Regiments of Foot, 42 Troops of Horſe, and about 700 Dragoons, in all about 10000 Men; there we intended to reſt the Sabbath-day, and the rather, that our Artillery and the Forces left with it, might come up to us. In the Morning, when we were going to Church, we had news brought us that the Enemy was 2 Miles from us, upon a high Hill, called *Edgehill*; whereupon we preſently marched forth into a great broad Field, under that Hill, called, *The Vale of the Red Horſe*, and made a ſtand ſome half a Mile from the Foot of the Hill, and there drew unto Battalia, where we ſaw their Forces come down the Hill; and drew likewiſe into Battel in the Bottom; a great broad Company. Their Forces appeared to be much greater than we could poſſibly have conceived them to be by the Confeſſion of the Priſoners we have taken; they that ſay leaſt, ſay 14000, which is the Earl of *Lindſey*'s Relation, who was their General; but others ſay 18000, and above 4000 Horſe and Dragoons; the Wind was much for their Advantage, and they endeavoured to get it more; which to prevent, we were inforced to draw out our Left Wing to a great breadth, and by that means, before the Battel was done, gained it wholly from them. In our Right Wing were Three Regiments of Horſe, the Lord General's, Commanded by Sir *Philip Stapleton*, Sir *William Balford*'s, and the Lord *Fieldings*; Sir *John Meldrum*'s Brigade had the Van, Col. *Eſſex* was in the middle, and Col. *Ballard*'s with the Lord General's Regiment, his own, the Lord *Brooks*, and Col. *Hollis* in the Rear. In the Left Wing were 24 Troops of Horſe, Commanded by Sir *James Ramſey*, their Commiſſary-General. In this Poſture we ſtood when the other Army advanced toward us; the ſtrength of their Horſe was on their Right Wing oppoſite to our Left; in their Left Wing they had but 10 Troops; but their Foot, which appeared to us, divided into nine great Bodies, came up all in Front, and after ſome playing with the Cannon on both ſides, that part of it which was on their Left, and towards our Right Wing, came on very gallantly to the Charge, and were as gallantly received, and Charged by Sir *Philip Stapleton* and Sir *William Balford*'s Regiment of Horſe, aſſiſted with the Lord *Robert*'s, and Sir *William Conſtable*'s Regiments of Foot, who did it ſo home thrice together, that they forced all the Muſqueteers, of two of their left Regiments, to run in and ſhrowd themſelves within their Pikes, not daring to ſhoot a ſhot, and ſo ſtood when our Rear came up; and then Charging altogether, eſpecially that part of our Rear which was placed upon the Right hand, and ſo next unto them which was the Lord General's Re-

Theſe two Regiments were led on by Sir *John Meldrum*, and were of his Brigade.

Regiment, and the Lord *Brook*'s, led on by Col. *Ballard* who commanded that *Brigade*, forced that Stand of Pikes, and wholly broke thoſe two Regiments, and ſlew and took almoſt every man of them; the Earl of *Lindſey*, his Son, the Lord *Willoughby*, and ſome other Perſons of Note are Priſoners. Sir *Edmund Varney*, who carried the King's Standard, was ſlain by a Gentleman of the Lord General's Troop of Horſe, who did much other good Service that Day, and the Standard taken; which was afterwards by the Lord General himſelf delivered unto his Secretary Mr. *Chambers*, with an intention to ſend it back the next day unto his Majeſty; but the Secretary, after he had carried it long in his hand, ſuffered it to be taken away by ſome of our Troopers, and as yet we cannot learn where it is. The other two Regiments of our Rear, Col. *Hollis* and Col. *Ballard* Charged thoſe which were before them, and then the whole Body of the King's Foot, except two other Regiments, ran away. By this time it grew ſo late and dark, and to ſay the truth, our Ammunition at this preſent was all ſpent, that we contented our ſelves to make good the Field, and gave them leave to retire up the Hill in the Night. But before we came to this, we will give you an Account of what paſſed in the other parts of our Army. Before our Rear came up to Charge, our Battalia at the very firſt wholly disbanded and ran away, without ever ſtriking ſtroke, or ſo much as being Charged by the Enemy, though Col. *Eſſex* himſelf, and others, who Commanded theſe Regiments in Chief, did as much as Men could do to ſtay them; but Col. *Eſſex* being forſaken by his whole Brigade, went himſelf into the Van, where both by Direction, and his own Execution, he did moſt gallant Service, till he received a ſhot in the Thigh, of which he is ſince dead. Now for our Rear, thus it was; before it, toward the outſide of it, ſtood our Left Wing of Horſe, advanced a little forward to the Top of a Hill, where they ſtood in a Battalia, lined with commanded Muſqueteers, 400 out of Col. *Hollis*'s Regiment, and 200 out of Col. *Ballard*'s; but upon the firſt Charge of the Enemy, they wheeled about, abandoned their Muſqueteers, and came running down with the Enemies Horſe at their Heels, and amongſt them pell-mell, juſt upon Col. *Hollis*'s Regiment, and brake through it, though Col. *Hollis* himſelf, when he ſaw them come running towards him, went and planted himſelf juſt in the way, and did what poſſibly he could do to make them ſtand; and at laſt prevailed with three Troops to wheel a little about, and rally; but the reſt of our Horſe of that Wing, and the Enemies Horſe with them, brake through and ran to *Keynton*, where moſt of the Enemy left purſuing them, and fell to plundering our Wagons, by which many of us have received very great loſs, and by Name your Servants that now write to you. Notwithſtanding their breaking through Col. *Hollis*'s Regiment, it was not diſmaid, but, together with the other Regiments of that Brigade, marched up the Hill, and ſo made all the haſte they could to come to fight, and got the Wind of the Enemy, and came on (if we may ſay it our ſelves, but we muſt do the Soldiers right) moſt gallantly, and Charged the Enemy, who were then in fight with our Van, and the Right Wing of our Horſe, and as it was ſaid before) helpt to defeat the two Regiments afore-mentioned, and made all the reſt run, but two other Regiments, which retired orderly, and at laſt made a ſtand; and having the Aſſiſtance of Cannon, and a Ditch before them, held us play very handſomly: And by this time it grew ſo dark, and our Powder and Bullet ſo ſpent, that it was not held fit we ſhould Advance upon them; but there we ſtood in very good Order; drew up all our Forces, both Horſe and Foot; and ſo ſtood all that Night upon the

18 *Caroli.*

An. 1642. the place where the Enemy, before the Fight, had drawn into Battalia, till toward Morning, that the Enemy was gone, and retired up the Hill, and then we returned alſo to a warmer place near *Keynton*, where we had Quarter the Night before; for we were almoſt ſtarved with cold that bitter Night, our Army being in extream want of Victuals; and about 9 or 10 of the Clock drew out again into Battalia, and ſo ſtood 3 or 4 hours, till the Enemy was clean gone from the Hill, and then we drew again into our Quarter, and there have lain this Night, and purpoſe this Day, (God willing) after we have buried our Dead, to march to *Warwick* to refreſh our Army, which is exceeding wearied with ſo many Nights watching, and ſo long a Fight, which held from Noon till dark Night. Two Particulars muſt not be omitted, one of Sir *William Balford*, who in the beginning of the Day broke a Regiment of Foot which had green Colours, beat them to their Cannon, where they threw down their Arms, and ran away; he laid his hand upon the Cannon, and called for Nails to nail them up, eſpecially the two biggeſt, which were Demy-Cannon; but finding none, he cut the Ropes belonging to them, and his Troopers killed the Canoneers; then he purſued the Fliers half a Mile upon Execution; and after returned to Sir *Philip Stapleton*, who in the mean time was Charging of the Red Regiment, where the King's Standard was, and had Charged it home to puſh of Pike with his ſingle Troop; and they then, together with the help of ſome of the Foot of our Rear, utterly broke it, as you had it before. The other Particular was of Sir *Philip Stapleton*, who, when five Troops of the Enemies Horſe returned from purſuit of our Left Wing, and from Plundering ſome of our Wagons, and paſſed by the outſide of our Rear upon the Left hand, went and Charged them with his Troop, and made them run; but they finding a Gap in the Hedge, got away, and returned to the reſt of their broken Troops, where they rallied and made up a kind of a Body again. If we had time, we could relate unto you many more obſervable Paſſages; but what you have here, ſhall ſerve you till we meet: This only will we ſay, ſome of both ſides did extreamly well, and others did as ill, and deſerve to be hanged, for deſerting and betraying, as much as lay in them, their Party; but God alone is to be praiſed, who fought with us, and for us, and made it his own Work, to give the Victory unto his Servants. We have loſt of note only Col. *Eſſex*, and we fear the Lord *St. John*, who was dangerouſly wounded. We here ſend you a *George*, found in the Field by a Common Soldier, and bought of him for Twenty ſhillings by one Capt. *Skinner*; we have promiſed him he ſhall have it again; we only ſend it you as one of our Trophies, that you may ſee it. We believe you will hear of very many of great Quality ſlain on the other ſide: The King's Foot are either ſlain, or moſt of them run away, and are now very weak, and ſhould have been purſued by us, but that we muſt of pure neceſſity, refreſh our Men for 3 or 4 days, and then we ſhall (God willing) Addreſs our ſelves to finiſh the Work. In the mean time, 'tis very requiſite Letters from the Committee ſhould be writ into the Countries which are Southern, to ſtir them up, that they may riſe and cut them off, or aſſiſt us at leaſt againſt them; which hoping you will forthwith do, we Reſt

Your faithful and humble Servants,

Denzell Hollis.	*William Balford.*
Ph. Stapleton.	*Jo. Meldrum.*
Tho. Ballard.	*Charles Pym.*

Our

Our Lord General went laſt Night to *Warwick*, and is there very well; and had he been with us, we ſhould not have preſumed to have given you the firſt Advertiſement; his Excellency did gallantly adventure himſelf that day in the Front againſt the Enemy, expoſing himſelf to more Danger than we could have wiſhed. 18 *Caroli.*

His Majeſties Declaration to all his Loving Subjects after his late Victory againſt the Rebels, on Sunday *the* 23*d of* October, 1642.

AS we muſt wholly attribute the preſervation of us and our Children in the late bloody Battel with the Rebels, to the Mercy and Goodneſs of Almighty God, who beſt knowing the Juſtice of our Cauſe, and the uprightneſs of our heart to his Service, and to the good and welfare of our People, would not ſuffer us and the whole Kingdom to be made a Prey to thoſe deſperate Perſons; ſo we hold it our duty ſtill to uſe all poſſible means to remove that Jealouſie and Miſ-underſtanding from our good Subjects, which by the induſtry and ſubtilty of that Malignant Party (which hath brought this Miſchief and Confuſion upon the Kingdom) hath been infuſed into them; and to that purpoſe (though even thoſe Scandals are ſufficiently anſwered by many of our Declarations and Meſſages, and by our late Proteſtation made in the Head of our Army, which we ſhall always, by the help of God, ſtedfaſtly and ſolemnly obſerve) we ſhall take notice of thoſe ſubtil Inſinuations by which at this preſent (according to that Obſervation we can make, and Information we can receive) they endeavour to poiſon the hearts, and corrupt the Allegiance of ſuch our good Subjects who cannot ſo clearly diſcern their Malice and Impoſtures. Firſt, by urging and preſſing that falſe groundleſs Imputation of our favouring Popery, and our employing many of that Religion now in our Army. Secondly, by ſeducing our good People to believe that this Army, raiſed and kept for our neceſſary Defence and without which, in all probability the Malice of theſe Men had before this taken our Life from us) is to fight againſt, and ſubdue the Parliament, and to take away the Priviledges thereof, and thereby to root out Parliaments. If either of which were true, we ſhould not have the Courage, with an Army much greater than ours, to hope for Succeſs.

For the firſt, for our Affection to that Religion, our continual practice, our conſtant Profeſſion and ſeveral Proteſtations will ſatisfie all the World, againſt which Malice and Treaſon it ſelf cannot find the leaſt probable Objection. We wiſh from our heart the Zeal and Affection of theſe Men to the true Proteſtant Religion were as apparent as ours. For the employing Men of that Religion in our preſent Service in the Army, whoſoever conſiders the hardneſs and ſtreights the Malice and Fury of theſe Men have driven us to, their ſtopping all Paſſages and Ways, that neither Men or Money might come to us, their declaring all ſuch to be Traitors who ſhall aſſiſt us, their entertaining Men of all Countries, all Religions, to ſerve againſt us, would not wonder if we had been very well contented to have received the Service and Affection of any of our good Subjects who had Loyalty enough (whatſoever their Religion *is*) to bring them to our Succour. All Men know the great number of Papiſts which ſerve in their Army, Commanders, and others, the great induſtry they have uſed to corrupt the Loyalty and Affection of all our Subjects of that Religion, the private Promiſes and Undertakings they have made to them,

That

An. 1642. That if they would aſſiſt them againſt us, all the Laws made in their prejudice ſhould be repealed; yet neither the weakneſs of our own condition, nor the Arts uſed againſt us, could prevail with us to invite thoſe of that Religion to come to our ſuccour, or to recall our Proclamation which forbade them ſo to do. And we are confident (though we know of ſome few whoſe eminent Abilities in Command and Conduct, and moderate and unfactious Diſpoſitious have moved us in this great neceſſity to employ them in this Service) That a far greater number of that Religion is in the Army of the Rebels, then in our own. And we do aſſure our good Subjects, though we ſhall always remember the particular Services which particular Men have or ſhall in this Exigent of ours perform to us, with that Grace and Bounty which becomes a Juſt Prince, yet we ſhall be ſo far from ever giving the leaſt Countenance or Encouragement to that Religion, that we ſhall always uſe our utmoſt Endeavour to ſuppreſs it, by the Execution of thoſe good and wholſome Laws already in force againſt Papiſts, and concurring in ſuch further Remedies as the Care and Wiſdom of us and both Houſes of Parliament ſhall think moſt neceſſary for the Advancement of God's Service.

For the ſecond, of our intention to make War upon our Parliament, and ſo to root out Parliaments. The Scandal is ſo fenſleſs, when our Accuſation of a few particular perſons, for particular Crimes notoriouſly committed, adjudged by the known Laws of the Land to be Treaſon, is evident, that no Man can be moved with it, who doth not believe a dozen or twenty factious, ſeditious perſons, to be the High Court of Parliament, which conſiſts of King, Lords, and Commons: And for the Priviledges of it, whoever doth not believe that to raiſe an Army to Murther and Depoſe the King, to alter the whole Frame of Government and eſtabliſhed Laws of the Land by extemporary, extravagant Votes and Reſolutions of either or both Houſes, to force and compel the Members to ſubmit to the Faction and Treaſon of a few, and to take away the Liberty and Freedom of Conſultation from them, to be the Priviledges of Parliament, muſt confeſs that the Army now raiſed by us is no leſs for the Vindication and Preſervation of Parliaments, then for our own neceſſary Defence. We have often ſaid, and we ſtill ſay, That we believe many Inconveniences have grown upon this Kingdom by the too long intermiſſion of Parliaments; That Parliaments are the only neceſſary Soveraign Remedies for the growing Miſchiefs which Time and Accidents have and and will always beget in this Kingdom; That without Parliaments the Happineſs cannot be laſting to King or People. We have prepared for the frequent Aſſembling of Parliaments, and will be always as careful of their juſt Priviledges, as of our Life, Honour, or Intereſt. But that thoſe Priviledges ſhould extend ſo far as hath been lately declared, That it ſhould not be lawful for us to apprehend the Lord *St. John*, Capt. *Windgate*, or Capt. *Walton*, when they came to deſtroy us, becauſe they were Members of Parliament, without the conſent of that Houſe of which they were Members, is ſo ridiculous, that there needs no more to be ſaid in this Argument, then the giving theſe Inſtances. In a word, as whoever knows in what danger our Perſon was in, on *Sunday* the 23d of *October*, can never believe that the Army which gave us Battel, was raiſed for our Defence and Preſervation; ſo when they conſider how much the Liberty of the Subject is invaded by their Rapine and Impriſoning; and that four parts at the leaſt of five of the Members of both Houſes are by violence driven from being preſent in that Councel; That the Book of *Common Prayer* is rejected, and no countenance given but to *Anabaptiſts* and *Browniſts*, they will eaſily find the pretences of Care of the Proteſtant Religion, the Liberty of the Subject, and

of

of the Priviledge of Parliament, to be as vain and pretended, as thoſe which refer to the ſafety of our Perſon, and the preſervation of our Poſterity. 18 *Caroli.*

We cannot omit the great pains and endeavours theſe great pretenders to Peace and Charity have taken, to raiſe an implacable malice and hatred between the Gentry and Commonalty of the Kingdom, by rendring all perſons of Honour, Courage, and Reputation, odious to the Common People, under the ſtile of *Cavaliers*, inſomuch as the High-ways and Villages have not been ſafe for Gentlemen to paſs through without Violence or Affronts, and by infuſing into them that there was an intention by the Commiſſion of Array to take away a part of their Eſtates from them, a Scandal ſo ſenſleſs and impoſſible, that the Contrivers of it well know they might with equal ingenuity have charged us with a purpoſe of introducing Turciſm or Judaiſm amongſt them; and we hope when our good Subjects have well weighed the continual practiſes of theſe Men to reject all offers of Treaty, and to ſuppreſs the Truth, and to miſlead them by bold and monſtrous falſhoods, they will not think ſuch Arts and Ways to lead to Peace and Unity. And we deſire our good Subjects of all Conditions to believe, That we hold our ſelf bound no leſs to defend and protect the meaneſt of our People (who are born equally free, and to whom the Law of the Land is an equal Inheritance) then the greateſt Subject; and that as the Wealth and Strength of this Kingdom conſiſts in the number and happineſs of our People, which is made up of Men of all conditions, ſo we ſhall, to the uttermoſt of our power, endeavour without diſtinction, to give every one of them that Juſtice and Protection which is due to them: And we do exhort them all to that charitable and brotherly affection one towards another, that they may be reconciled in a juſt Duty and Loyalty to us, which may enable us for that Protection.

To conclude, we would have all the World know, That we ſhall never forget the Proteſtations and Vows we have made to Almighty God in our ſeveral Declarations and Meſſages to both our Houſes of Parliament. And we are too much a Chriſtian to believe, That we can break thoſe Promiſes, and avoid the Juſtice of Heaven.

Charles R.

Our expreſs pleaſure is, That this our Declaration be publiſhed in all Churches and Chappels within the Kingdom of England *and Dominion of* Wales, *by the Parſons, Vicars, or Curates of the ſame.*

A Declaration of the Lords and Commons aſſembled in Parliament, in Anſwer to his Majeſty's Declaration, intituled, *His Majeſty's Declaration to all his loving Subjects after his late Victory againſt the Rebels, on* Sunday, Octob. 23. 1642.

WE the Lords and Commons in Paliament having ſeen a printed Declaration, intituled, *His Majeſty's Declaration to his loving Subjects, after his late Victory againſt the Rebels, on* Sunday *the 23th of* October, and finding the ſame to be full of Scandals and Invectives againſt the Parliament, without any ground or colour of Truth to ſupport them; Thought it our duty, as well for the diſcovery of the falſhood thereof, as of the malice and ſubtilties of the Contrivers of thoſe Scandals, who to our unſpeakable ſorrows, have gained ſo much power with his Majeſty, as to vent the ſame under the Title of his own Royal Name, to make this enſuing Declaration in Anſwer thereunto.

In the beginning of the Declaration, the Contrivers thereof ſpeak in his Majeſty's Name, of a great preſervation of his Majeſty and his Children in the late Battel.

If his Majeſty and his Children eſcaped any danger in that Battel, as we are ready with the Contrivers to rejoyce thereat, ſo we do apprehend a juſt cauſe of ſorrow, That his Majeſty, ſeduced by the deſperate advice of lewd and wicked Counſel, who tender their own preſervation before

An. 1642.

his, would intermix himſelf with Traitors and Rebels, and expoſe his own Royal Perſon and his Children to that danger.

And whereas the Parliament, under the Name of a Malignant Party, is charged with an endeavour to poiſon the Hearts, and corrupt the Allegiance of the King's Subjects, by urging and preſſing a falſe groundleſs imputation (as it is there ſtiled) of favouring Popery, and imploying many of that Religion in his Majeſty's Army.

Though we have juſt cauſe to believe that our late Declaration of *October* 1. is ſufficient to prove, That the pretended aſperſion of favouring Papiſts, and employing them in the King's Army is no aſperſion, the ſame being there not only barely alledged, but the evidence proving the ſame, and the perſons ſo employed particularly ſet down: Yet ſince the Contrivers of that Declaration have the confidence to deny it, we thought it neceſſary for the confirmation thereof, to publiſh ſome Evidences and Advertiſements that we received ſince the iſſuing out of our ſaid late Declaration, touching that Particular.

Firſt, That it doth appear by the Examination of Mr. *Dormer*, who profeſſeth himſelf a Papiſt, taken before a Committee of the Houſe of Commons, That a Commiſſion under the King's own Hand was delivered unto him by Serjeant-Major *Courtney*, a notorious Papiſt, authorizing the ſaid *Dormer* to be a Captain of a Foot Company, in the Regiment of Sir *John Beaumont*, another profeſſed Papiſt, and with that Commiſſion threeſcore and fifteen Men raiſed in the County of *Lancaſter*, conſiſting (as is probable) of Papiſts, though Mr. *Dormer* in his Examination alledgeth he knoweth not whether they were Proteſtants or Papiſts. And it doth further appear by a Commiſſion now remaining in the Houſe of Commons, ſigned with the King's own Hand, that the ſaid *Courtney* is made Serjeant-Major of that Regiment. And by the ſame Examination, another profeſſed Papiſt is Lieutenant Colonel; and by a Letter intercepted ſent from one *Dan. Chambers* a Papiſt (as is informed) directed to one Capt. *Tho. Rookewood*, That he expreſſeth his joy for the good ſucceſs of the general Cauſe and the advancement of their Deſign. And by another Letter intercepted likewiſe, and ſent from the ſame *Daniel Chambers* to Serjeant-Major *Courtney*. That he was going to the North, where (as we are now advertiſed) the Papiſts are raiſing a conſiderable Army; That he liked well the way of two years compoſition, and would propound it; That his endeavours ſhould never be wanting to further any good action, and the more wherein he the ſaid *Courtney* was intereſſed; and though the *Hothamites* would hinder his travelling, yet he would venter hard, and daily pray for the general Cauſe. And in a Letter ſent from one *Savage*, a Servant of the Earl of *Newcaſtle*, his Majeſty's General in the North, directed to one *John Atkins* of *Lambeth*, are contained theſe words, *Tell them that the Pope rules in peace here in* Northumberland, *&c. no proſecution neither of Prieſt or Papiſt*: And in another ſent from one *George Tempeſt* a Prieſt, to his Brother *John Tempeſt* in the King's Army, are theſe words: *Our Prieſts at* Lancaſter *are at liberty, Catholick Commanders admitted, and all well enough that way, God Almighty (as I hope) will the better proſper the deſign.* And in the printed Declaration it ſelf, it is confeſſed, That Popiſh Commanders are employed in the King's Army, and that which is as notorious as any of the reſt, They of the Popiſh Religion are arrived to that height of favour, that upon their Petition preſented to his Majeſty, they have obtained an expreſs command and direction, That they and their Servants and Tenants (though convict Recuſants, and conſequently by the Laws and Statutes of this Realm to be diſarm'd) ſhould Arm themſelves, and uſe them for the defence of his Majeſties Perſon, and in oppoſition

18 *Caroli.*

ſition to the Forces raiſed by the Parliament; which Petition and Anſwer we have cauſed to be printed herewith. We need not again recite the Earl of *Worceſter* and his Son the Lord *Harbert*, two of the moſt eminent and powerful Papiſts in the Kingdom, their levying of great Forces in *Monmouthſhire* and *Wales*, having mentioned it in our former Declaration. And we purpoſely omit many other demonſtrations of favour extended unto them, as the not putting the Laws in execution againſt them, the free reception into the King's Court and Preſence, the tender care of them and their Perſons and Eſtates from the danger of the King's Forces, when the moſt pious and zealous Proteſtant Miniſters and others, are moſt barbarouſly murther'd, plundred, and rob'd of their Eſtates and Fortunes. And upon what is already ſaid, ſubmit to the World to judge, whether the favouring of Popery, and employing them of that Religion in the King's Army, be a falſe and groundleſs imputation; and we do the more wonder at the confidence of the Contrivers, in urging that to be a groundleſs imputation and ſcandal, when we ſee a Declaration publiſhed by the Earl of *Newcaſtle*, his Majeſty's General in the Northern parts, which doth not only confeſs that he hath taken divers Popiſh Recuſants in thoſe parts, under his command and conduct, but ſpends ſome Leaves (weakly enough) in endeavouring by the Examples and Preſidents of former times, to juſtifie the ſame; and therefore we need not any further to labour the proof of the matter of fact.

For the Allegation, *That great number of Popiſh Commanders and others ſerve in the Army under the conduct of the Earl of* Eſſex, *and of the private promiſes and undertakings made to them, That if they would aſſiſt againſt his Majeſty, all the Laws made in their prejudice ſhould be repealed*; A Charge contrary not only to the profeſſion and ſeveral Proteſtations of both Houſes of Parliament, but even to Reaſon and Policy it ſelf, That they who have raiſed an Army for the juſt defence of their Priviledges, Laws, and Liberties, and of the true Proteſtant Religion, ſhould make uſe of Papiſts, the only Enemies of them all, to be the Inſtrument and means to protect them.

If the Contrivers of that Declaration had been pleaſed to name ſome of that great number of Papiſts they ſuppoſe to be in the Earl of *Eſſex* his Army, they had not only afforded us the means to have cleared our ſelves from that imputation, by joining Iſſue with them of the truth thereof, but given us opportunity in caſe any of that Religion, under the Name and Profeſſion of a Proteſtant (for otherwiſe we are aſſured they could not) had crowded themſelves into the Army, to remove them: But in regard they omitted the mention of any particular, we are confident, That either they could not name any, or in caſe any of the Popiſh Religion be in that Army, they are ſubtilly, by the cunning and malicious practiſe of our Enemies conveyed thither, under the maſk and profeſſion of Proteſtants, to corrupt (if they can) the good affection of others, and ſo made Inſtruments to deſtroy us, as *David Alexander* ſhould have been, had not God's goodneſs and providence, by a timely Diſcovery prevented it.

But to ſhew how much the Parliament did always abhor and deteſt the aid and aſſiſtance of Papiſts, of what nature ſoever, we hold it fit upon this occaſion, to let the World know, That about the beginning of this Parliament, divers eminent Papiſts of this Kingdom did prefer a Petition to the Houſe of Commons, for the repealing of ſome Laws now in force againſt them, with an humble ſubmiſſion to all reaſonable Conformity; the ſubſtance of the ſame being opened, it was apprehended with ſuch indignation, that it was never ſo much as vouchſafed to be read; but quite rejected.

And upon Information given, That the Lord *Dillon* and Col. *Taffe* were employed by the Rebels of *Ireland* to bring ſome Propoſitions to his

An. 1642.

Majeſty; and that (amongſt others) one was, *That there ſhould be a Toleration of the Popiſh Religion in* Ireland: It was thereupon reſolved on the 8th of *Decemb.* 1641. upon ſolemn Debate, by the Lords and Commons, *That they would never give conſent to any Toleration of the Popiſh Religion in* Ireland, *or in any other of his Majeſty's Dominions*. And when the Lord *Herbert*, Son of the Earl of *Worceſter*, this Parliament, made an offer to the Houſe of Commons, to give freely 500 *l.* a year, or 5000 *l.* to be diſpoſed at the pleaſure of the Parliament, yet the Houſe, though in a time of great neceſſity to uſe Money, becauſe the ſame came tendered by the hand of a Papiſt, did refuſe to accept it. All which had been paſſages of great weakneſs, had we intended any correſpondency with them. And we are confident, That this Charge is ſo full of Malice, and ſo far from Truth, that we dare challenge all the World, not to be able to make it good againſt any one particular Member.

For the matter of his Majeſty's raiſing an Army againſt the Parliament, and taking away the Priviledges thereof, which the Contrivers of that Declaration termed to be a *ſenſleſs Scandal*, we ſhall refer it to the Judgment even of ordinary Capacities, Whether is moſt void of Senſe, to ſay, That this War is raiſed againſt the Parliament, or, That both Houſes, whereof the one conſiſts of all the Peers, the other, of eminent and principal Gentry of the Kingdom, who for their Abilities and known Integrities, are by the Univerſal Conſent of the Kingdom choſen to repreſent them, are governed by the number of not above 12 or 20 Perſons, and that thoſe few ſhould have a power to force and compel the reſt to ſubmit to their Faction, and to have their Liberty and Freedom of Conſultation taken from them.

But the truth is, That it is not a few Perſons, but the Parliament it ſelf is the thorn that lies in theſe mens ſides; which heretofore, when it was wont to prick them, was with much eaſe, by a ſudden diſſolution, pulled out: but now that it is more deeply faſtned by the Act of Continuance, they would force it out by the power of an Army.

And whoſoever will peruſe the ſeveral Speeches and Declarations made upon the breaking up of former Parliaments ſince the beginning of his Majeſty's Reign, will find the pretences of thoſe unjuſt and illegal Diſſolutions, to be grounded upon the Exceptions againſt ſome particular Members, under the Name of a few Factious and Seditious Perſons: So that the aſperſing and wounding of the Parliament through the ſides of a few Members, is no new Invention.

And for the ſatisfaction of all indifferent men, That this War is raiſed againſt the Parliament, we ſhall refer them to former Declarations iſſued out in his Majeſty's Name, being ſo many Invectives and groundleſs Accuſations, not againſt particular Members only, but againſt the Votes and Proceedings of both Houſes, and in plain tearms, declaring and publiſhing both Houſes guilty of High Treaſon; (a Charge not to be preſidented by any former times, or in Truth that Councel cannot be capable of.) And that the Earl of *Eſſex*, General of the Forces raiſed for the Defence of the King, Parliament, and Kingdom, is a Traytor; and that all thoſe that aid and aſſiſt him, thereby comprehending both Houſes of Parliament, by whoſe Command and Authority he bears that place, are Rebels, and guilty of High Treaſon: Notwithſtanding all which, the Contrivers of that Declaration can have the face to tearm it, *A groundleſs Accuſation*, to affirm, That the Army raiſed by his Majeſty, is raiſed againſt the Parliament, or to take away the Priviledges thereof.

But if the truth were, as that Declaration ſeems to imply, That this Army is raiſed to force ſome particular Members of this Parliament to be delivered

delivered up, yet upon that Ground would it follow, That the ſame is levied againſt the Parliament: For it cannot be denied by any ingenious Man, but that the Parliament, by their inherent Rights and Priviledges, hath the power to judge and puniſh their own Members: And we have often declared to his Majeſty and the World, That we were always ready to receive any Evidence or Accuſation againſt any of them, and to judge and puniſh them according to their Demerits; yet hitherto no Evidence produced, no Accuſer appearing: And yet notwithſtanding to raiſe an Army to compel the Parliament to expoſe theſe Members to the fury of thoſe wicked Counſellors, that thirſt after nothing more, than the ruine of them and the Commonwealth: What can be more evident, then that the ſame is levied againſt the Parliament; for did they prevail in this, then by the ſame reaſon might they demand twenty more; and conſequently, never reſt ſatisfied, until their Malice and Tyranny did devour all thoſe Members they found croſs and oppoſite to their lewd and wicked deſigns. 18 *Caroli.*

Touching the Priviledges of Parliament, which the Contrivers of that Declaration (in his Majeſty's Name) ſeem to be ſo tender of, and to profeſs all Conformity unto, and to deny this Army to be raiſed in any degree to violate, we ſhall appeal to the Judgment of any indifferent Man that will take a ſhort view of their Proceedings, how little Truth is contained in this their Aſſertion.

The Parliament is to be conſidered in three ſeveral reſpects: firſt, As it is a Counſel, to adviſe: ſecondly, As it is a Court, to judge: thirdly, As it is the Body Repreſentative of the whole Kingdom, to make, repeal, or alter Laws. And whether the Parliament hath enjoyed its Priviledges in any of theſe Reſpects, let any that hath his Eyes open judge.

For the firſt, We dare appeal even to the Conſciences of the Contrivers themſelves, Whether the Parliament, for the moſt part of the time they have ſate, hath been conſulted with in any matter concerning the Church or State, of what nature or conſequence ſoever; nay, Whether matters of higheſt Importance have not been agitated and determined, not only without, but even contrary to their Advice; and, Whether private and unknown Counſels, deſtructive both to Church and State, have not been hearkned unto, approved, and followed, when the faithful and wholeſom Advice of that great Councel hath been ſcorned and neglected; and yet none can deny, but it is one of the principal Ends why a Parliament is called to conſult of the great Affairs of the Church and State: And what miſerable Effects and ſad Events this neglect of the great Councel, and preferring of unknown and private Counſels before it, hath produced, let the preſent Diſtractions of this Kingdom bear witneſs.

Concerning the ſecond, that is, The Judicature of the Parliament, not to inſiſt upon the private practices, even from the firſt ſitting thereof, to interrupt our legal proceedings againſt Delinquents, in the ſecret conveying them beyond the Seas, by immediate Warrants procured from his Majeſty, as in the Caſes of Secretary *Windebank*, the Lord *Finch*, the Lord *Digby*, Mr. *Percy*, Mr. *Germyn*, and others accuſed in Parliament of High Treaſon; we ſhall mention only what hath been done therein by publick Actions, and of them, recite ſome few Particulars notoriouſly known to the Kingdom; As firſt the reſcuing of *Beckwith*, a profeſſed Papiſt, by the Cavaliers, from our Meſſenger at *York*, being ſent for to anſwer a notable Delinquency againſt the Parliament; and by his Majeſty's own Perſonal command, diſcharged, though the Meſſenger informed his Majeſty of his Warrant from the Parliament to apprehend him, and the violence done him by the Cavaliers; The abuſing, beating, and ſcoffing of divers other our Meſſengers at *York*, being ſent thither by the Parliament for Delinquents,

An. 1642. quents, and forced by the Cavaliers to return back well beaten, without their Priſoners: His Majeſty's expreſs Commands ſent to ſeveral Sheriffs of this Kingdom, and to divers others, not to obey any Meſſenger or Command of both or either Houſes of Parliament, and to reſiſt them; His Majeſty's enjoyning the Members of both Houſes to reſide with him, whereas by the legal and reſpective Summons of both Houſes whereof they were Members, they were commanded to repair to the Parliament, and which they were bound by the duty of their Places and Calling, and the known Laws of the Land, to obey: The taking away of the Great Seal, whereby the Execution of Juſtice, which is the Soul and Life of all Laws, is much interrupted; an act not to be paralleſ'd by the Example of any former Times, and ſuch (were it done to the meaneſt Court of the Kingdom) could not be juſtified, there being no Court without a Seal belonging to it.

The making the King's Court by the force and power of the King's Army, the Sanctuary and Refuge of all ſorts of Delinquents againſt the Parliament and Kingdom, and protecting and defending them from the Juſtice thereof: His Majeſty's receiving into his Grace and Favour, and by Force and Violence protecting them from the Juſtice of the Parliament, ſuch as ſtand Impeached of High Treaſon, and ſo far convinced of their own guilt, that they durſt not ſtand to their Trial, but fled out of the Realm to avoid the ſame; and are now returned, and in moſt eminent Credit and Eſteem with his Majeſty, and bear places of great Truſt in the Army, and ſtand in Defiance of the Parliament, and the Authority thereof; as namely, the Lord *Digby*, Mr. *Henry Percy*, Mr. *Daniel Oneal*, and Capt. *Legg*, all Impeached of High Treaſon, Mr. *Wilmot*, and Mr. *Aſhburnham*, impeached of Miſpriſion of Treaſon; and all thoſe Impeachments before any Army raiſed by the Parliament.

Touching the third particular of making and altering Laws, we ſhall need to ſay little of that, it being well known to the Kingdom, that divers Bills highly importing the Peace and Proſperity of the Church and Commonwealth have paſt both Houſes, and been preſented to his Majeſty for his Royal Aſſent, and all denied; and Declarations have been made and publiſhed in his Majeſties Name, That he would not paſs any Bill of what importance or conſequence ſoever (the buſineſs of *Ireland* excepted) before certain Demands of his Majeſty in thoſe Declarations mentioned, which the Parliament could not in Honour and Juſtice aſſent unto, were granted. A Declaration (we are confident) that cannot find a Preſident to warrant it in any King's time.

By all which it is apparent how our Priviledges have been torn from us by piece-meals from time to time. And we might mention many paſſages, whereby they were endeavoured to be pulled up by the Root, and totally ſubverted. As the Attempt to bring up the late Army from the North to force Conditions upon the Parliament; The Petition and Proteſtation of the Biſhops, to invalidate all the Acts and Proceedings thereof. His Majeſty's Letters and Commands to the Members of both Houſes (which found Obedience in a great many) to attend Him at *York*; and ſo by depriving the Parliament of their Members, deſtroy the whole Body. But we ſhall reſt ſatisfied with what is already ſaid, which is enough to prove the vanity of the Contrivers, to feed themſelves with hope of belief, That the Priviledges of Parliament are not violated, but intended to be preſerved with all due obſervance.

Concerning the Allegations, That the Army raiſed by the Parliament is to murther and depoſe the King; We hoped the Contrivers of that Declaration, or any that profeſſed but the name of Chriſtian, could not have

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ſo little Charity as to raiſe ſuch a Scandal, eſpecially when they muſt needs know the Proteſtation taken by every Member of both Houſes, whereby they promiſe in the preſence of Almighty God, to defend his Majeſties Perſon. The Promiſe and Proteſtation made by the Members of both Houſes upon the nomination of the Earl of *Eſſex* to be General, and to live and dye with him, wherein is expreſſed, That this Army was raiſed for the Defence of the King's Perſon. 18 *Caroli*

Our often, earneſt, and moſt humble Addreſſes to his Majeſty to leave that deſperate and dangerous Army wherewith he is now encompaſſed, raiſed and upheld to the hazard of his own, and the Kingdoms ruine; and to come in Perſon to his Parliament, where he ſhould be ſure to remain in Honour and Safety. And our humble Petition directed to be preſented to him by the hands of the Earl of *Eſſex*, before any blow given, to remove his Royal Perſon from that Army, a Requeſt inconſiſtent with any purpoſe to offer the leaſt violence to his Perſon, which hath, and ever ſhall be dear unto us.

* It was well known we raiſed not any Forces until a conſiderable Body of an Army was raiſed againſt the Parliament to deſtroy us, our Liberties and Religion, which being ſecured unto us, and the Army raiſed againſt us Disbanded, we ſhall be ready and willing to Disband, and do moſt earneſtly deſire it.

And concerning the Imputation laid to our Charge of our raiſing this Army to alter the Frame of Government, and eſtabliſhed Laws of the Land, we ſhall need to give it no other Anſwer then this, That if to raiſe an Army in our own juſt Defence, when another is marching towards us to deſtroy us and our Laws, be to alter the Frame of Government, then is that Army raiſed for that purpoſe, otherwiſe it is for our own, and our Laws neceſſary preſervation.

And whereas the Contrivers of that Declaration, urge it as a neceſſary Conſequence, That becauſe the King's Perſon was in danger in the late Battel of *Octob.* 23. therefore the Army raiſed by the Parliament, and that gave Battel to the other Army, was not raiſed for the defence of the King's Perſon, but of purpoſe to deſtroy him: We confeſs we underſtand not the Logick thereof, no more then if the King's Perſon ſhould be chaſed, apprehended and poſſeſſed by Thieves and Robbers, and the King's good Subjects ſhould raiſe an Army to purſue thoſe Robbers, and by Battel diſpoſſeſs them of him, and reſcue him from their Power and Tyranny; That therefore this was an Army raiſed to murder and deſtroy the King.

And we cannot but wonder, That we are ſtill charged with that Scandal (ſo often anſwered) that the greateſt part of our Members are driven away by violence, when inſtance cannot be made of any one in particular, and that it is well known, That many of them, if not moſt of them that abſent themſelves, have been by expreſs Letters from his Majeſty, commanded to repair to him to *York*: And contrary to the expreſs Summons of either Houſe required to continue there, and many of them have ſince been Principals and Inciters of this War againſt the Parliament and Kingdom.

Concerning the *Book of Common-Prayer*, ſuggeſted by that Declaration to be rejected; we have by ſeveral Declarations cleared our ſelves of that Charge, That we never rejected it; That we intend to take nothing out of it, but what ſhall be evil, and juſtly offenſive, or at leaſt but unneceſſary and burthenſome; and for that purpoſe to require the Advice of a Religious, Learned, and Orthodox Aſſembly of Miniſters.

Touching the Aſperſion of our giving no Countenance to any, but to *Browniſts* and *Anabaptiſts*, we would have been very glad to know who, and

An. 1642. aud what kind of Perſons the Contrivers of that Declaration intend by *Browniſts* and *Anabaptiſts*; for now all ſuch as will not ſubmit to theſe unwarranted Ceremonies and Popiſh Innovations lately introduced in the Church by the Prelatical Party; ſuch as in truth and ſincerity of heart make Conſcience of their ways; ſuch as will not by blaſphemous Oaths prophane God's Name, and contemn the Lord's Day; and ſuch as look after, and heartily wiſh a perfect and thorow Reformation in the Church, are by that Malignant and Popiſh Party comprehended under the name of *Browniſts* and *Anabaptiſts*: And if by *Browniſts* and *Anabaptiſts* they intend ſuch perſons, we acknowledge the countenancing of them. But if by that name and ſtile they mean ſuch who are truly ſo, according to the real and proper ſignification of the Expreſſion, we do affirm it to be a falſe groundleſs Imputation: And had not his Majeſty (ſeduced thereunto by that Popiſh and Prelatical Faction) denied his conſent to the Bill for the Aſſembly ſo often by both Houſes preſented unto him, we had long ſince manifeſted to the World, by a well-ſetled Reformation, our utter diſlike of *Browniſm* and *Anabaptiſm*. But we very well know it is one of the ſtratagems of that Prelatical Party, to interrupt us of the means to ſettle Church-Government, that by the delay thereof, they may ſtir up Factions and Diviſions amongſt the People (who having not the Rule before them, are apt to run ſeveral ways) and ſo impute the Errours and indiſcreet Carriage of a few Perſons, unto the Parliament: But God in his good time will unmask their Plots, and confound their Devices.

The Contrivers of that Declaration ſuggeſt an endeavour by us to raiſe an implacable Malice and Hatred between the Gentry aad Commonalty of the Kingdom: A Charge of a very ſtrange nature, That we ſhould endeavour to raiſe up a Spirit of Hatred and Malice in the Commonalty againſt our ſelves; for ſo it muſt neceſſarily follow, unleſs theſe Contrivers will deny us to have any part or intereſt in that ſtile or title of Gentry. And though we know very well there are too many of the Gentry of this Kingdom, who, to ſatisfie the Luſts of their own Ambition, are content, like *Eſau*, to ſell their Birth-right, and render themſelves and their Poſterity to perpetual ſlavery, and care not to ſubmit themſelves to any Arbitrary and unlimitted Government, ſo that they may for their own time partake of that Power, to trample and inſult over others: yet we are aſſured, that there are of the Gentry many worthy and true-hearted Patriots, who are ready to lay down their Lives and Fortunes (and of late have given ample Teſtimony thereof) for maintenance of their Laws, Liberties, and Religion; and with them, and others of their Reſolution, we will be ready to live and die.

And though we muſt own it as our Duty to uſe our beſt endeavours, That the meaneſt of the Commonalty may enjoy their own Birth-rights, Freedom, and Liberty of the Laws of the Land, being equally intituled thereunto with the greateſt Subject, yet we hope this is far from any purpoſe to raiſe Malice or Hatred between them and the Gentry, but rather to knit and unite them more faſt together.

And that the Commiſſion of *Array* doth take away the Eſtates of the King's People, is a Charge ſo far from a Scandal, or being ſenſleſs or impoſſible, that we are ready to make it good, That it is not only ſo in intention, but actually put in Execution: For the matter of intention, we ſhall need to go no further then the words of the Commiſſion it ſelf, that giveth an Arbitrary Power to the Commiſſioners, over the Perſons and Eſtates of the King's Subjects, which we have made apparent in our Declaration of the illegality thereof; and therefore, as to that particular, ſhall refer our ſelves to that Declaration, adding thereunto his Majeſties

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own Letter ſent with divers of the ſaid Commiſſions, to require the Commiſſioners to bring the Trained Bands of the ſeveral Countries to attend his Majeſty's Royal Standard at *Shrewsbury*; and that the ſeveral Counties ſhould furniſh them with ſufficient Ammunition for the Journey, and Money to bear their charge: And that the ſaid Commiſſion hath been put in practice to take away the Eſtates of the Kings Subjects, we ſhall make it good, That by colour thereof, divers great Sums of Money have been impoſed upon the Inhabitants of ſeveral Counties, and they forced to pay the ſame both by the Diſtreſs and Impriſonment of their Perſons. And the Commiſſioners of *Array* in the County of *Carnarvan*, aſſeſſed that County by colour of that Commiſſion, to the proportion of above two and twenty Subſidies. And for the levying thereof, iſſued out Warrants forthwith to Diſtrain, and commit the Perſons of ſuch as reſiſted, and accordingly divers were diſtrained and impriſoned. 18 *Caroli.*

And by this time, we are confident, all the World will reſt ſatisfied, That the King's Army was raiſed againſt the Parliament, and to deſtroy the Rights and Priviledges thereof.

That Perſons of the Popiſh Religion are principally employed in that Army; That the ſame, and the Forces of the North under the Conduct of the Earl of *Newcaſtle*, and in *Monmouthſhire* and *Wales*, under the command of the Lord *Herbert*, do moſt conſiſt of Papiſts, and are maintained and continued by them; That by the power of theſe Forces, the intention is not only to ſubvert Parliaments, and the Laws, but to follow the Examples of their Brethren in Iniquity, the Rebels in *Ireland*, to pull up the Proteſtant Religion by the Roots, and in the place thereof to plant their own Idolatry and Superſtition; That the Army raiſed by the Parliament is to no other end, but for the preſervation of his Majeſties Perſon, to defend themſelves, the Laws of the Land, and the true Proteſtant Religion. All which the Lords and Commons thought good to publiſh, to the intent the danger the Proteſtant Religion lies under, may be clearly diſcerned, and that all perſons that love the ſame, may now as one Man extend their utmoſt endeavours, and joyn with the Parliament to ſuppreſs this Popiſh Army and Forces, that otherwiſe in a ſhort time will bring our Religion and Kingdom into ruine.

Ordered by the Lords and Commons aſſembled in Parliament, That this Declaration be forthwith printed and publiſhed.

Hen. Elſyng. Cler. Parl. D. Com.

To the King's moſt Excellent Majeſty.

The humble Petition of us the Inhabitants of *Lancaſhire*, whoſe Names are hereunder written, in the behalf of our ſelves and divers others, being Recuſants.

Humbly ſheweth,

THat whereas we, and the reſt of the ſaid County, your Majeſty's moſt loyal Subjects, are diſarmed, and not ſufficiently provided for the Defence of your Royal Perſon, and our own Families; our moſt humble Supplication to your Majeſty is, That we may be received into your moſt Gracious Protection from Violence, have our Arms taken from us re-delivered in this time of actual War, and by your Majeſty's ſpecial Directions be enabled further to furniſh our ſelves with competency of Weapons for the Security of your Royal Perſon (if we be thereunto required) our Countries and Families, who now are not only in danger of the Common Diſturbance, but alſo menaced by unruly People to be robbed: And when by the Almighty's Aſſiſtance your Majeſty's Kingdom ſhall be ſetled, in caſe we be again diſarmed, that a full value of Money in lieu thereof may be reſtored.

The Papiſts Petition in this laſt Declaration mentioned.

And we ſhall pray, &c.

W. G. C. Tr. C. T. Chr. An. Ja. C.

An. 1642.

To our Truſty and Welbeloved, Sir *Wil. Gerrard* Baronet, Sir *Cecil Trafford* Kt. *Tho. Cliſton*, *Charles Townley*, *Chriſt. Anderton*, and *Jo. Clauſfield*, and other of our Subjects, Eſquires, in the County of *Lancaſhire*.

CHARLES R.

The King's Order for Papiſts to provide Arms.

TRuſty and welbeloved, we greet you well. Whereas by reaſon of the Laws and Statutes of our Realm, by which all Recuſants convicted are to be without Arms, your Arms have been taken from you; ſo that now in this time of imminent danger, wherein there are Armies raiſed againſt our Commands, and contrary to our Proclamations, and are marching againſt us, and divers of our good Subjects, for obeying our lawful Commands, and oppoſing the rebellious proceeding of others ill-affected, are by a ſtrong hand ſeized upon and impriſoned, their Houſes plundered, and their Goods taken away; and the like is threatned to our ſelves, who, as all other our Subjects, ought to have our protection againſt all unlawful Violence and Force: And the Laws made for diſarming Recuſants were made only for a proviſion to prevent danger in time of Peace, and were not intended to bar you from a neceſſary uſe of Arms in time of Actual War, for your own Safety, or for the Defence of our Perſon againſt all Rebels and Enemies, which by your Duty and Allegiance you are bound unto; which is not, nor ever was meant to be diſcharged, or taken away by any Act: And whereas the Arms which were taken from you, ought by Law to have been kept and preſerved to have been made uſe of by you in ſuch time of open War, or by ſuch others as you ſhould provide, yet under the ſpecious pretence of diſarming Recuſants and Perſons ill-affected, your Arms have been diſpoſed and diſperſed into the hands of ſeveral Perſons ill-affected, and for the moſt part Fomentors and Exciters of theſe Commotions now raiſed in this Kingdom; our Will and Command therefore is, and we charge and require you upon your Allegiance, and as you tender the Safety of our Perſon, and the Peace and Welfare of our Kingdom, That you with all poſſible ſpeed provide ſufficient Arms for your ſelves, your Servants, and your Tenants, which we authorize and require, during the time of open War raiſed againſt us, to keep and uſe for the defence of us, and of your ſelves, and of your Country, againſt all Forces and Arms raiſed, or to be raiſed againſt us, or againſt our conſent, or contrary to our Proclamations, by colour of any Order, or Ordinance, or Authority whatſoever: And we ſhall (according as we are bound to all our Subjects) uſe our utmoſt powers for the protection of you and yours, againſt all injuries and violence. And whenſoever theſe Arms which you ſhall ſo provide (after it ſhall pleaſe God to put an end to theſe Dangers and Diſtractions) ſhall be taken away from your Cuſtody, by reaſon of our Laws now in force, we do hereby aſſure you, we will allow you for the ſame, ſo much as you ſhall have diſpenſed in proviſion thereof. Given under our Signet at our Court at *Cheſter*, *Sept.* 27. in the Eighteenth year of our Reign.

Sir *William Riddell*, Sir *Edw. Widdrington*, Sir *Francis Howard*, Sir *Nich. Thornton*, Col. *Tho. Howard*, Mr. *Lance Errington*, Mr. *Errington* of *Befron*, Mr. *George Wray*, Mr. *Ralph Mellet*, Mr. *Chr. Wray*, Mr. *Lambton*, Mr. *Hodgeſon*, Mr. *Smith*, Mr. *David Errington*, Mr. *Pudſey*, Mr. *Anth. Bulmer*, Mr. *Jo. Bulmer*, Mr. *Askwith*, Mr. *Geo. Collingwood*, Mr. *Forcer*, Mr. *Evers*, Mr. *Holthy*, Mr. *Evars*, Mr. *William Fenwicke*, Mr. *Ratcliff*, Mr. *Haggerſton*, Mr. *Forcer*, Mr. *Edw. Gray*.

Theſe are the Names of divers of the Colonels, Lieutenant Colonels, Serjeants, Majors, Captains, and Lieutenants that are Papiſts, and are Commanders in the Army, under the Command of the Earl of *Newcaſtle*.

Hen. Elſynge, Cler. Parl. D. Com.

By

81 *Caroli.*

By the KING.

His Majesty's Gracious Proclamation to the Cities of *London* and *Westminster.*

His Majesty's gracious offer of Pardon to the Cities of *London* and *Westminster* from *Ayno*, Oct. 27. 1648.

WHereas amongst other Acts used by the Promoters of this horrid and desperate Rebellion against us, great industry and subtilty hath been applied to corrupt our Subjects of our Cities of London and Westminster, first by engaging them in Factions and Tumults to awe the Members of both our Houses of Parliament, who would not consent to their seditious Designs; then by perswading them to Loans and Contributions for the maintenance of the Army now in Rebellion against us, upon pretence that the same was raised for the Defence of our Person, the Protestant Religion, the Laws of the Land, and Priviledge of Parliament, (whereas in truth it is for the Destruction of them all) by their yielding Obedience to, and Executing their pretended Ordinance of the Militia: and lastly, by infusing into them a desperate sense of their own Condition, and that we are so much incensed against them for the Premisses, that we intend to plunder and give up the Wealth of those our Cities as a prey to our Soldiers; We do hereby declare, That we are yet far from being so much incensed against those our Cities as these Men desire to be believed, and in truth have endeavoured to make us: But we believe that those Tumults were contrived by the persons whom we have formerly accused of that practice, and raised out of the meanest and poorest people of those our Cities and Suburbs, without the privity and consent of the best and substantial Citizens and Inhabitants; and that the Loans and Contributions which have been since raised (though they have passed more generally then we expected from the duty and sobriety of Men of Fortunes and Understanding) have been wrested and extorted from them by Threats and Menaces, and fear of plundering and Violence. And therefore we do hereby offer our Free and Gracious Pardon to all the Citizens and Inhabitants of our said Cities of London and Westminster for all Offences concerning the Premisses committed against us before the publishing of this our Proclamation, (Except all those Persons whom we have Excepted in our Declaration of the Twelfth of August) and except Alderman Fulke and Capt. Manwaring, against all which we shall proceed according to the Rules of Law, as against Traitors and Stirrers of Sedition against us; And we do assure them on the Word of a King, that no Violence shall be offered by our Army, or any part of it, to any of them, not doubting but their demeanour will henceforward be such, that we shall not be compelled to bring our Army against them.

Provided that this our Grace shall not extend to any person, who after the publishing of this our Proclamation, shall presume by Loan or Contribution to assist the said Army of Rebels to Assemble and Muster themselves in Arms without Authority derived from us under our Hand, or to enter into any Oath of Association for the Assistance of the Earl of Essex, how speciously soever the same be pretended for our Safety: For since the Encounter on Sunday the 23th of this Month, where they used all possible means and malice to have destroyed us, and where it pleased God to give us so great a Victory over them (though with the loss of many worthy Men) no man can be unsatisfied in the mischief and malice of their Rebellion; and therefore we must, and do declare, That whosoever shall henceforward by Money, Plate, or otherwise assist the said Rebellion, shall take Arms by virtue of any pretended Ordinance, or shall enter into any Association against us, or without our Consent, shall be esteemed by us an Enemy to the publick Peace, a Person

An. 1642.

diſaffected to us, the Religion and Law of the Kingdom, and ſhall accordingly receive condign puniſhment; of which we give them timely notice, that they may proceed accordingly at their perils. And to the end that they may receive all poſſible and particular Aſſurance from us of our gracious Intentions towards them, we ſhall be willing that ſuch a Number of Grave and Subſtantial Citizens be imployed from our ſaid City to us, as ſhall by them be thought fit, who may propoſe ſuch things to us, on their behalf, as ſhall be deſired, to which we ſhall give a gracious and juſt Anſwer: And we do aſſure them, and all the World, That as the Scandals and Imputations upon us concerning our favouring of Papiſts, have been groundleſs and maliciouſly contrived by the Authors of this Rebellion, to beget a Miſ-underſtanding between us and our Subjects, ſo all the Profeſſions we have made in our ſeveral Declarations for the Suppreſſion of Popery, and the Maintenance of the true Reformed Proteſtant Religion eſtabliſhed in the Church of England, *and for the Defence of the Laws of the Land, and the juſt Priviledges of Parliament, ſhall be as inviolably obſerved by us, as we expect a Bleſſing from the Almighty God, and Obedience from our Subjects.*

Given at our Court at *Ayno* this 27th of *October*, in the Eighteenth Year of our Reign.

God Save the KING.

CHAP. IX.

Containing the Month of November 1642. *Together with the King's Advance from* Oxford *towards* London, *the Overtures touching a Treaty, the Fight at* Brainford, *and his Majeſty's Return to* Oxford.

The King's Speech to the Inhabitants of *Oxfordſhire* at *Oxford*, *Novemb.* 2. 1642.

Gentlemen!

King's Speech, *Nov.* 2. 1642.

THough you ſee my Army marching from hence, I do not intend to leave you; my Reſidence ſhall be ſo near, that my Power ſhall have an Influence upon this Place (of which I will beſides take a particular care) for your Preſervation: Therefore fear not to Expreſs your Affections to me with that Courage which becomes you. I know how and by whom the Country hath been awed; but I hope no man ſhall have more power to fright you from your Loyalty, than I have to reſtore you to it; and I ſhall gueſs by the Evidence of this Day at your Natural Diſpoſitions. In aſſiſting me you defend your ſelves; for, believe it,

it, the Sword which is now drawn againſt me, will deſtroy you, if I defend you not. I have and will venture my Life for you; 'twill be a ſhame for you to venture nothing: Whatſoever you ſhall be willing freely to contribute, I will take kindly of you; and whatſoever you ſhall lend me, I will, on the Word of a King, ſee juſtly repaid to you.

I appoint the Sheriff to receive ſuch Money or Plate as you, Gentlemen, ſhall be willing to aſſiſt me with, and to return their Names to me. And you of the Clergy ſhall repair to Mr. Vice-Chancellor, who ſhall do the like: And I expect that you ſhould Advance this Service throughout the Country, and Return your Collections ſuddenly to me by the Hand of the Sheriff. And I aſſure you, I ſhall take eſpecial Notice of ſuch who ſhall be backward in this time of ſo viſible Neceſſity.

November *the* 3*d*, 1642.

REſolved, That it be Refer'd to the King's Counſel to conſider of ſome fit way, and to preſent it to the Houſe, for a Publication to be made of Rewards to be given to ſuch as ſhall do Service in this *Expedition* into *Ireland*; and for a Pardon of ſuch of the Rebels in *Ireland* as ſhall come in by a time limited; and of a Sum of Money to be appointed for a Reward to ſuch as ſhall bring in the Heads of ſuch Principal Rebels as ſhall be nominated; and that a Letter be forthwith ſent to the Juſtices in *Ireland*, to acquaint them how ſenſible this Houſe is of the Affairs in *Ireland*, and what care they have taken concerning the ſame.

Order of the Commons for ſuch as do good Service in *Ireland*, *Nov.* 3. 1642.

November the 4*th*, 1642.

REſolved, That the Committee for the Affairs of *Ireland* ſhall deſire the Committee of the Lords to move their Houſe, that the *Lord Lieutenant of Ireland* do, with all convenient ſpeed Repair to *Ireland*.

Lieutenant of *Ireland*.

REſolved, That an Aſſiſtance ſhall be deſired of the *Scots*, according to the *Act of Pacification*; That a Conference be deſired with the Lords concerning the Securing of the Perſons of Papiſts.

Aſſiſtance of the *Scots*.

A Declaration of the Lords and Commons Aſſembled in Parliament, for the Encouragement of all ſuch Apprentices as have, or ſhall voluntarily Liſt themſelves to go into this preſent Expedition, for the Defence of Religion, the Preſervation of this City, the King and Kingdom, under the Command of his Excellency the Earl of Eſſex.

WHereas in times of common Danger and Neceſſity the Intereſts of Private Perſons ought to give way to Publick, It is Ordained and Declared by the Lords and Commons in Parliament, That ſuch Apprentices as have been, or ſhall be Liſted to ſerve as Soldiers, for the Defence of the Religion and Liberty of the Kingdom, his Majeſty's Royal Perſon, the Parliament, and the City of *London*; their Sureties, and ſuch as ſtand engaged for them, ſhall be ſecured againſt their Maſters, their Executors and Adminiſtrators, from all Loſs and Inconvenience,

A Declaration for the Encouragement of Apprentices that ſhall Liſt themſelves in the Parliaments Service, *Nov.* 7. 1642.

An. 1642.

ence, by forfeiture of Bonds, Covenants, Infranchiſement, or other ways. And that after this publick Service ended, the Maſters of ſuch Apprentices ſhall be Commanded and Required to receive them again into their Service, without impoſing upon them any Puniſhment, Loſs, or Prejudice for their Abſence in the Defence of the Commonwealth.

And the Lords and Commons do further declare, That if it ſhall appear that the Maſters of ſuch Apprentices have received any conſiderable Loſs by the Abſence of their Apprentices, they will take care that reaſonable Satisfaction ſhall be made unto them out of the Publick Stock of the Kingdom, according to Juſtice and Indifferency.

The Parliament begin to ſollicite the *Scots* for Aſſiſtance, *Nov.* 7. 1642.

Alſo on this Day a Declaration paſſed to be ſent to the Subjects of *Scotland*, wherein the two Houſes repreſent the Dangers they are in, and crave their Aſſiſtance: Which Declaration, and all other Proceedings and Negotiations with the *Scots*, till their coming into *England* with an Army on the 15th of *January*, 164$\frac{2}{3}$. ſee altogether afterwards in the particular Chapter on that Subject.

By the KING.

A Proclamation of his Majeſty's Grace, Favour and Pardon to the Inhabitants of his County of *Kent*.

The King's offer of Pardon to the County of *Kent*, *Nov.* 8. 1642.

WHereas we have taken notice, That by the Malice, Induſtry and Importunity of ſeveral ill-affected and ſeditious Perſons in our County of Kent, *very many of our weak and ſeduced Subjects of that our County have not only been drawn to Exerciſe the Militia, under colour of a pretended Ordinance, without and againſt our Conſent, a Crime of a very high Nature, if we would ſtrictly inquire thereinto, but have made Contributions of Plate, Money and Horſes, towards the Maintenance of the Army now in Rebellion againſt us, we do hereby publiſh and declare, That we are graciouſly pleaſed to attribute the Crimes and Offences of our ſaid Subjects of that County, to the power and faction of their Seducers, who, we believe by Threats, Menaces and falſe Informations, compelled and led them into theſe Actions of Undutifulneſs and Diſloyalty toward us; and we do therefore hereby offer our free and gracious Pardon to all Inhabitants of our ſaid County of* Kent, *for all Offences concerning the Premiſſes committed againſt us before the publiſhing of this our Proclamation (Except Sir* Michael Lively *Baronet, and* Thomas Blount *Eſquire) againſt whom we ſhall proceed according to the Rules of the Law, as againſt Traitors and Stirrers of Sedition againſt us, and whom we do require all our Officers and Miniſters of Juſtice, and all our loving Subjects whatſoever, to apprehend, and cauſe to be kept in ſafe Cuſtody till our pleaſure be further known; Provided that this our Grace ſhall not extend to any Perſon, who after the publiſhing this our Proclamation, ſhall preſume by Loan or Contribution to aſſiſt the ſaid Army of Rebels to Aſſemble and Muſter themſelves in Arms without Authority derived from us under our Hand, to enter into any Oath of Aſſociation for oppoſing us and our Army, or to ſuccour or entertain any of the Perſons excepted in this our Proclamation, or in our Declaration of the* 12th *of* Auguſt; *but we muſt and do declare, That whoſoever ſhall hence-forward be guilty of the Premiſſes, or of either of them, ſhall be eſteemed by us as an Enemy to the Publick Peace, a Perſon diſ-*

18 Caroli.

disaffected to us, and to the Religion and Law of the Kingdom, and shall accordingly receive condign Punishment, of which we give them timely notice, that they may proceed accordingly at their perils.

And we do hereby will and require our High Sheriff, Commissioners of Array, Justices of the Peace, and all other our Officers and loving Subjects, to resist, oppose and apprehend all such Persons as shall presume to make any Leavies in that our County, under what pretence soever, without Authority derived from us under our Hand; and we likewise will and require them, and every of them, to be assistant to all such as shall either command the Trainbands of that our County, or make any Leavies in the same by virtue of Commission under our great Seal or Sign Manual.

Given at our Court at *Reading*, this Eighth Day of *November*, in the Eighteenth Year of our Reign.

God save the KING.

The like Pardons to other Counties.

Several the like Proclamations were issued forth to other Counties, but being generally much to the same Purport (save only the Names of the particular Persons Excepted) I omit them.

Essex comes to *Westminster*.

The King intending now to make *Oxford* his Head-Quarters, Prince *Rupert* took in the Lord *Say*'s House at *Broughton*, and made Excursions sometimes pretty near *London*, which occasioned the Houses to Order *Essex* to draw his Forces near the City for their Safeguard: which he did, and was honourably received at *Westminster*, *Novemb.* 7. and presented with a Gratuity of 5000 *l.* and the following Declaration.

A Declaration of the Lords and Commons Assembled in Parliament.

Die Veneris, Novemb. 11. 1642.

Thanks to the Earl of *Essex*.

THE Lords and Commons assembled in Parliament, having upon mature deliberation and assured confidence in the Wisdom, Courage and Fidelity of *Robert* Earl of *Essex*, chosen and appointed him Captain-General of the Forces raised by Authority of Parliament, for the Defence of the true Protestant Religion, the King, Parliament and Kingdom, now in great danger, do find that the said Earl hath managed this Service of so high Importance, with so much Care, Valour and Dexterity, as well by the extreamest hazard of his Life, in a bloody Battel near *Keynton* in *Warwickshire*, as by all the Actions of a most Excellent and Expert Commander in the whole Course of this Imployment, as doth deserve their best acknowledgment; And do therefore declare and publish, to the lasting Honour of the said Earl, the great and acceptable Service which he hath herein done to the Commonwealth, and shall be willing and ready upon all Occasions, to express the due sense which they have of his Merit, by assisting and protecting him, and all others imployed under his Command in this Service, with their Lives and Fortunes, to the uttermost of their power. This to remain upon Record in both Houses of Parliament, for a Mark of Honour to his Person, Name and Family, and for a Monument of his singular vertue to Posterity.

To

An. 1642.

To the Right Honourable the Lord Viſcount *Faulkland*, Principal Secretary to his Majeſty, or in his Abſence for Mr. Secretary *Nicholas*, or any of the Lords the Peers Attending his Majeſty.

My Lord!

A Letter from the Speaker of the Houſe of Lords to the Secretary, *Nov.* 3. 1642. in order to a Treaty.

I Am Commanded by the Lords, the Peers and Commons aſſembled in Parliament, to Addreſs by you their humble Deſires to his Majeſty, That he would be pleaſed to grant his Safe-conduct to a Committee of Lords and Commons to paſs and re-paſs unto his Majeſty, that are directed to attend him with an humble Petition from his Parliament. This being all that I have in Commiſſion, I Reſt,

Weſtminſter *this* 3*d* of *Novemb.* 1642.

Your aſſured Friend and Servant,
Grey of *Warke*,
Speaker of the Houſe of Peers *pro tempore*.

To the Right Honourable the Lord *Grey* of *Warke*, Speaker of the Houſe of Peers *pro Tempore*.

My Lord!

The Anſwer.

HIS Majeſty hath Commanded me, in Anſwer of your Lordſhips of the Third preſent, to ſignifie unto you, That he always hath been, and is ſtill ready to receive the humble Petition of either or both Houſes of Parliament: And ſhall take Order that a Committee of Lords and Commons may paſs and re-paſs to him with the Petition of both Houſes, as is deſired, ſo as the ſaid Committee conſiſt of Perſons that have not been by his Majeſty either by name declared Traitors, or otherwiſe in ſome of his Declarations or Proclamations excepted againſt by name, with his Intention declared to proceed againſt them as Traitors. And ſo as the ſaid Committee come not with more than Thirty perſons in their Company, and give notice before hand of their coming. And for the ſaid Committees better Security, his Majeſty, upon the receipt of their Names, will give a Safe-conduct for them under his Hand and Signet. This being all I have in Command to deliver to your Lordſhip, I humbly Reſt,

Reading, Nov. 4. 1642.

Your Lordſhips moſt humble Servant,
Edw. Nicholas.

For the Right Honourable the Lord Viſcount *Falkland*, Principal Secretary to his Majeſty; or in his Abſence to any of the Lords the Peers attending his Majeſty.

My Lord!

A ſecond Letter from the Speaker of the Lords to the Secretary for a Safe-conduct, *Nov.* 5. 1642.

I Have received a Command from the Lords and Commons in Parliament, to ſend you the Names of two Lords, that is to ſay, Algernon *Earl of* Northumberland, Philip *Earl of* Pembrook *and* Montgomery, *and of four Members of the Houſe of Commons, Mr.* Pierrepoint, *the Lord* Wenman, *Sir* John Evelin *of* Wilts, *and Sir* John Hippiſley, *being the Committees*

mittees of both Houſes appointed to attend his Majeſty, with an humble Petition directed from them to his Majeſty, deſiring your Lordſhip will be pleaſed to move his Majeſty to ſend a Safe-conduct *to paſs and repaſs under his Royal Hand and Signet, for the ſeveral Perſons afore-mentioned. This being all I have in Commiſſion. I Reſt,* 18 *Caroli.*

Weſtminſter, *Nov.* 5. 1642.

Your Lordſhips Friend and Servant,
Grey of *Warke*,
Speaker of the Houſe of Peers *pro tempore.*

To the Right Honourable the Lord *Grey* of *Warke*, Speaker of the Houſe of Peers *pro tempore.*

My Lord!

The Anſwer, *Nov.* 6. 1642.

YOur Lordſhips Letter of the Fifth of November, *I ſhewed his Majeſty, who hath expreſly Commanded me to return your Lordſhip his Anſwer in theſe words; That his Majeſty hath ſent, which I have incloſed, a Safe-conduct under his Royal Hand and Signet for the Earl of* Northumberland, *the Earl of* Pembrook *and* Montgomery, *Mr.* Pierrepoint, *the Lord* Wenman, *and Sir* John Hippiſley, *but hath not admitted Sir* John Evelin *of* Wilts *to attend him, as being included in the Exception made by his Majeſty in the Letter ſent by Mr. Secretary* Nicholas *to your Lordſhip of the Fourth, as by the incloſed Proclamation, proclaimed at his Majeſties Court at* Oxford, *and ſent with a Writ ſealed into the County of* Wilts, *will appear. His Majeſty hath likewiſe Commanded me to ſignifie to your Lordſhip, That in Caſe the Houſe ſhall think fit to ſend any other perſon in the place of Sir* John Evelin, *that is not included in the Exception made in Mr. Secretary's Letter before-mention'd, his Majeſty hath Commanded all his Officers, Soldiers, and other Subjects to ſuffer him as freely to paſs and repaſs, as if his Name had been particularly comprized in this Safe-conduct. This being all that I have in Commiſſion, I Reſt,*

Reading, *Nov.* 6. 1642.

Your Lordſhips humble Servant,
Falkland.

His Majeſty's Safe-conduct, *Nov.* 6. 1642.

CHARLES R.

OUR Will and Pleaſure is, and we do hereby ſtrictly Charge and Command all the Officers and Soldiers of our preſent Army, and all our Miniſters and Subjects whatſoever, to ſuffer our right truſty and right well-beloved Coſins and Counſellors, *Algernon* Earl of *Northumberland*, and *Philip* Earl of *Pembrook* and *Montgomery*, and our right truſty and right well-beloved Couſin *Thomas* Lord Viſcount *Wenman*, and our truſty and well-beloved *William Pierrepoint* Eſq; and Sir *John Hippiſley* Kt. (together with their Attendants, not exceeding the number of Thirty) to paſs and re-paſs to and from us, with a Petition from both our Houſes of Parliament. This our Safe-conduct under our Royal Hand and Signet, we Charge and Command them, and every of them, punctually to obſerve and obey, as they will anſwer the contrary at their uttermoſt perils.

Given at our Court at Reading *this Sixth of* Novemb. 1642.

Purſuant to this Safe-conduct the Committee on *Nov.* 11. repaired to his Majeſty, (being then at *Colebrook*) and preſented him with the following Petition.

An. 1642.

To the King's moſt Excellent Majeſty.

The humble Petition of the Lords and Commons now Aſſembled in Parliament.

The two Houſes Petition for a Treaty preſented to the King at *Colebrook*, *Nov.* 11. 1682.

WE your Majeſty's moſt loyal Subjects, the Lords and Commons in Parliament Aſſembled, being affected with a deep and piercing ſenſe of the Miſeries of this Kingdom, and of the danger to your Majeſty's Perſon, as the preſent Affairs now ſtand, and much quickned therein with the ſad Conſideration of the great Effuſion of Blood at the late Battel, and of the loſs of ſo many eminent perſons; And further weighing the Addition of Loſs, Miſery, and Danger to your Majeſty and your Kingdom, which muſt enſue if both Armies ſhould again joyn in another Battel, as without God's eſpecial Bleſſing, and your Majeſty's Concurrence with your Houſes of Parliament, will not probably be avoided.

We cannot but believe that a ſuitable Impreſſion of Tenderneſs and Compaſſion is wrought in your Majeſty's Royal Heart, being your ſelf an Eye-witneſs of the bloody and ſorrowful Deſtruction of ſo many of your Subjects; And that your Majeſty doth apprehend what Diminution of your own Power and Greatneſs will follow; *and that all your Kingdoms will thereby be ſo weakned, as to become ſubject to the Attempts of any ill affected to this State. In all which Reſpects we aſſure our ſelves that your Majeſty will be inclined graciouſly to accept this our humble Petition, that the Miſery and Deſolation of this Kingdom may be ſpeedily removed and prevented; for the effecting whereof, we moſt humbly beſeech your Majeſty to appoint ſome convenient place, not far from the City of* London, *where your Majeſty will be pleaſed to reſide, until Committees of both Houſes of Parliament may attend your Majeſty with ſome Propoſitions for the removal of theſe bloody Diſtempers and Diſtractions, and ſettling the ſtate of the Kingdom in ſuch a manner, as may conduce to the preſervation of God's true Religion, your Majeſty's Honour, Safety and Proſperity, and to the Peace, Comfort and Security of all your People.*

His Majeſty's gracious Anſwer to the ſaid Petition, delivered to the Committee, *Nov.* 11. 1642.

The King's Anſwer, *Nov.* 11. 1642.

WE take God to witneſs how deeply we are affected with the Miſeries of this Kingdom, which heretofore we have ſtroven as much as in us lay to prevent; it being ſufficiently known to all the World, That as we were not the firſt that took up Arms, ſo we have ſhewed our readineſs of Compoſing all things in a fair way by our ſeveral Offers of Treaty, and ſhall be glad now at length to find any ſuch Inclinations in others; the ſame Tenderneſs to avoid the Deſtruction of our Subjects (whom we know to be our greateſt Strength) which would always make our greateſt Victories bitter to us, ſhall make us willingly hearken to ſuch Propoſitions whereby theſe bloody Diſtempers may be ſtopped, and the great Diſtractions of this Kingdom ſettled, to God's Glory, our Honour, and the welfare and flouriſhing of our People; And to that end ſhall reſide at our Caſtle at Windſor *(if the Forces there ſhall be removed) till Committees may have time to attend us with the ſame, (which, to prevent the Inconveniences that will intervene, we wiſh may be haſtned) and ſhall be ready there, or (if that be refuſed us) at any place where we ſhall be, to receive ſuch Propoſitions as aforeſaid from both Houſes of Parliament. Do you your Duty, we will not be wanting to ours; God of his Mercy give a Bleſſing.*

The

18 *Caroli.*

The next Morning, *Nov.* 12. the following Meſſage was directed from his Majeſty to the two Houſes, but not delivered till after the Fight at *Brainford.*

The King's Meſſage that he intends to Advance to *Brainford.*

WHereas the laſt Night, being the Eleventh of November, *after the departure of the Committee of both our Houſes, with our Gracious Anſwer to their Petition, we received certain Information (having till then heard nothing of it either from the Houſes, Committee, or otherwiſe) that the Lord of* Eſſex *had drawn his Forces out of* London *towards us, which hath neceſſitated our ſudden Reſolution to march with our Forces to* Brainford, *we have thought fit hereby to ſignifie to both our Houſes of Parliament, That we are no leſs deſirous of the* Peace of the Kingdom, *than we expreſs'd in our aforeſaid Anſwer, the Propoſitions for which we ſhall willingly receive wherever we are; and deſire (if it may be) to receive them at* Brainford *this Night, or early to morrow Morning, that all poſſible ſpeed may be made in ſo good a Work, and all Inconveniencies otherwiſe likely to Intervene, may be avoided.*

The King beats up the Parliaments Quarters at *Brainford.*

'Twas generally related, That ſoon after the Committee of Lords and Commons were departed with the ſaid Anſwer of the Eleventh, the King's Artillery, with divers Troops of Horſe, the ſame Night advanced forwards through the Town of *Colebrook* towards *London*, and the Body of his Majeſty's Army followed; and taking the advantage of a Miſt in a cloſe and ſtill March, they came undiſcovered to *Brainford*, and *beat up the Quarters of* Col. *Hollis*'s Regiment, that was quartered there; and though that Regiment had been much weakned at *Edghill*, they made a vigorous and obſtinate Defence, many of them being killed, and in all probability moſt of them would have been cut off, if the Lord *Brooks* and Col. *Hampden*'s Regiment, who were quarter'd not far off, had not come in to their Relief, and maintained a fierce and bloody Fight till towards Night, wherein many were ſlain, divers driven into the River and drowned, and many taken Priſoners; and ſo at laſt his Majeſty's Forces became Maſters of the Town, and plundered it.

When the firſt News of this unexpected Fight was brought to *London*, where the Noiſe of their great Guns was eaſily heard, the Lord General *Eſſex* was ſitting in the Houſe of Peers, and with what ſtrength he could, on ſuch a ſudden, call together, advanced towards the Reſcue of his engaged Regiments, but Night had parted them. The Parliament forthwith ſent a Committee to the City to move them to ſend out their Trainbands to joyn with *Eſſex* for their own Defence, and accordingly all that *Saturday* Night the City of *London* poured out Men towards *Brainford*, who every hour were marching to *Turnham-Green*, where the Rendezvouz was; and the Lords and Gentlemen that belonged to the Army were there ready on the *Sunday* Morning, being the Thirteenth of *November.*

There was at this time about 3000 Horſe and Foot of *Eſſex*'s Army quartered at *Kingſton*, and it was adviſed, That they ſhould march to *Hounſloe*, and be on that ſide of the King's Army, whilſt *Eſſex* and his Forces, with thoſe of the City, engaged them in this ſide, whereby his Majeſty's Army would have been encompaſſed. But *Dalbeir* and Sir *John Meyrick*, and others, alledging they knew not certainly what Forces would come out of *London*, or whether enough to ſtop his Majeſty's Armies march towards the City, had adviſed that the ſaid *Kingſtone* Forces ſhould march all Night round about by *London-Bridge*, which was followed; ſo that they came late on *Sunday*, and much tired to

An. 1642.

Turnham-Green, where the whole Army was drawn up in Battalia, conſiſting of above 24000 Men, well accoutred and in good plight, ſo that in all probability they muſt have worſted the King's Forces: In order whereunto, the General *Eſſex*, and the Lords and others with him, upon Conſultation together in the Field, thought fit to command a Party of two Regiments of Horſe, and four of Foot, to march about from the Green by *Acton*, and get beyond the King's Army, and upon a ſign when they fell upon them on that ſide, then *Eſſex* to engage them on this; Accordingly Orders were given, and *Hampden*'s Regiment had the Van next to the Horſe, and when they had march'd about a Mile, Sir *John Meyrick*, the Major-General, rode after and recall'd them, and ſo they retreated back again to *Turnham-Green*, where the Armies ſtood ſeveral hours facing one another. The Parliament-men and Gentlemen that were Officers, were for engaging, but the Soldiers of Fortune were altogether againſt it. And whilſt they were conſulting, the King had drawn off his Carriages and Ordnance, and Retreated; upon which was another Debate, whether the Parliament Army ſhould purſue them; but this too was oppoſed by the old Soldiers: And ſo the King march'd away over *Kingſtone-Bridge* to *Oatlands*, and from thence afterwards to *Colebrook*, and ſo to *Reading*, and at laſt to *Oxford*; and the Citizens marched home to *London* the ſame day. The King a few days after diſcharged about 150 Priſoners, being private Soldiers, taken at *Brainford*; but two or three Captains taken there, were carried to *Oxford*.

His Majeſty's Declaration to all his loving Subjects, ſhewing his true Intentions in Advancing lately to *Brainford*.

THough our Reputation be moſt dear unto us, and eſpecially in thoſe Caſes wherein the Truth of our moſt ſolemn Profeſſions, and by conſequence of our Chriſtianity is queſtioned, yet it is not only for the Vindication of that, and to clear our ſelf from ſuch Aſperſions, but withal to preſerve our Subjects in their juſt Eſteem of and Duty to us, and from being ingaged into Crimes and Dangers by thoſe malicious Reports ſo ſpitefully framed, and cunningly ſpread againſt us, concerning our late Advancing to *Brainford*, That we have reſolved to publiſh this our following Declaration.

At *Colebrook*, on *Friday* the Eleventh of *November*, we received a Petition from both our Houſes of Parliament by the Earl of *Northumberland*, the Earl of *Pembrook* and *Montgomery*, the Lord *Wenman*, Mr. *Pierrepoint*, and Sir *John Hippiſley*, and indeed we were well pleaſed to ſee it ſo much liker to a Petition, than the other Papers we had often of late received under that name, and returned to it the next day ſo gracious an Anſwer, that we aſſure our ſelves could not but be very ſatisfactory to all that were true Lovers of Peace. The Copies of both do here follow. [See them before *fol.* 58.]

But the ſame Night, after the Meſſengers were gone, certain Information was brought unto us, That the ſame day the Earl of *Eſſex* had drawn his Forces, with great ſtore of Ordnance, out of *London* towards us; upon which a Council of War being preſent, and we having there conſidered, upon Debate, our preſent Condition, That being already almoſt ſurrounded by his Forces, ſome at *Windſor*, ſome at *Kingſtone*, and ſome at *Acton*, if we ſuffered the Remainder to poſſeſs *Brainford*, we ſhould be totally hemmed in, and our Army deprived of all Conveniency of either moving or ſubſiſting; yet how neceſſary ſoever it appeared, we could not obtain our own conſent to advance towards *Brainford*, and either prepoſſeſs it, or diſpoſſeſs them of it, till we had ſatisfied our ſelf that it was as lawful as neceſſary, and fully weighed all that not only Reaſon, but Malice it ſelf (which we know to be very watchful upon our Actions) could object againſt it.

We

18 *Caroli.*

We conſidered firſt, that it could not reaſonably be eſteemed an averſion from Peace, and an intention to interrupt the Treaty then in Expectation; ſince on the other ſide we had cauſe to believe, by the former Rejection of our Offers of Treaty, when we were ſuppoſed to be in no condition of ſtrength, that if we would not thus preſerve our ſelves from being ſo encompaſſed or to come into their powers, the very poſſibility of a Treaty would immediately vaniſh. We conſidered next, that much leſs could it be interpreted any Breach of Faith, ſince willingneſs to receive Propoſitions of Treaty was never held to amount to a ſuſpenſion of Arms; ſince otherwiſe, we muſt (becauſe mention of a Treaty had been once made) by the ſame Logick have been bound not to hinder them to Encompaſs us on all parts to *Colebrook* Towns-end; ſince no word to that purpoſe (of any Suſpenſion) was in our Anſwer; nay, ſince in that (by wiſhing their Propoſitions might be haſtned to prevent the Inconveniencies which would intervene) we implied, That by this Arms were not Suſpended: And ſince their own Votes of proceeding vigorouſly, notwithſtanding the Petition, and their own Actions in ſending after their Meſſengers great ſtore of Forces, with Ordnance ſo near to us (having before girt us in on all other parts, and ſent Men and Ordnance to *Kingſtone*, after the Safe-conduct asked of us) implyed the ſame.

Being reſolved upon theſe Reaſons, That this Advancing was neceſſary and juſt, we were not yet ſatisfied till we had endeavoured the ſame day (though the interruption of ſhooting ſtopt up the way till the next) to ſatisfie our Parliament and People of the ſame, and that Peace was ſtill our deſire: we to that end directed a Meſſage by *John White* Eſq; which was ſo received, that his danger of being put to Death for bringing it, and the Impriſonment of him and the Trumpeter that went with him in the *Gatehouſe*, ſhew'd that the very Law of Nations was by ſome no more conſidered, than all other Laws had been before. A Copy of which Meſſage here follows, to ſhew how little Temptation the matter of that gave them for ſuch an uſe.

Whereas the laſt night, being the Eleventh of November, *after the departure of the Committees of both Houſes, with our Gracious Anſwer to their Petition, we received certain Information, having till then heard nothing of it, either from the Houſes, Committees, or otherwiſe, that the Lord of* Eſſex *had drawn his Forces out of* London *towards us; which hath neceſſitated our ſudden Reſolution to march with our Forces to* Brainford, *we have thought fit hereby to ſignifie to both our Houſes of Parliament, That we are no leſs deſirous of the Peace of the Kingdom then we expreſt in our ſaid Anſwer, the Propoſitions for which we ſhall willingly receive, wherever we are; and deſire, if it may be, to receive them at* Brainford *this Night, or early to Morrow morning, that all poſſible ſpeed may be made in ſo good a Work, and all Inconveniencies otherwiſe likely to intervene, may be avoided.*

And to juſtifie yet further that our Intention was no other then was here profeſt, aſſoon as we were informed that the Earl of *Eſſex*'s Forces were departed from *Kingſtone*, before any appearance or further notice of further Forces from *London*, our end of not being incloſed being obtained, we gave orders to quit *Brainford*, and to march away, and poſſeſs that place.

We cannot but make one Argument more of the Truth of our Profeſſion that this was all our End, and that we had not the leaſt thought, by ſo Advancing, to Surprize and Sack *London*, which the malignant Party would infuſe in that our City, and that is, that probably God Almighty would not have given ſuch a Bleſſing to our Journey as to have aſſiſted us ſo both by Land and water, as with leſs than a third part of our Foot, and with the loſs but of Ten Men, to beat Two of their beſt Regi-

An. 1642. Regiments out of both *Brainfords*, for all the great advantage of their Works in them, to kill him who commanded in Chief, and kill and drown many others, to take 500 Priſoners, more Arms, 11 Colours, and good ſtore of Ammunition, 15 Pieces of Ordnance, whereof we ſunk moſt that we brought not away; and then unfought at, and unoffered at nearer then by Ordnance, to march away notwithſtanding the great diſadvantage of our Forces, by the Difficulties of the Paſſage; if he who is the Searcher of all Hearts, and Truth it ſelf, had not known the truth of our Profeſſions, and the innocency of our Heart, and how far we were from deſerving thoſe horrid Accuſations of Falſhood and Treachery caſt ſo point blank upon our own Perſon, that it would amaze any Man to ſee them ſuffered to be printed in our City of *London*, if any thing of that kind could be a wonder after ſo many of the ſame; and how really they deſire Accommodation, who upon this have Voted they will have none.

Theſe our Reaſons for this Action, this our Satisfaction ſent for it, and this Bleſſing of God upon it, will, we doubt not, clear us to all indifferent perſons, both of the Jeſuitical Counſels, and the Perſonal Treachery, to which ſome have preſumed ſo impudently to impute it: And God *ſo* bleſs our future Actions as we have delivered the *Truth* of this.

The Anſwer of both Houſes of Parliament to his Majeſty's Meſſage of the 12*th of* November.

The Parliaments Anſwer to the King's Meſſage of *Nov.* 12. about his advancing to *Brainford.*

TO your Majeſty's Meſſage of the Twelfth of this Month of *November*, we the Lords and Commons in Parliament do make this humble Anſwer, That this Meſſage was not delivered to us till *Munday* the Fourteenth; we thought it a ſtrange Introduction to Peace, that your Majeſty ſhould ſend your Army to beat us out of our Quarters at *Brainford*, and then appoint that place to receive our Propoſitions, which yet it plainly appears your Majeſty intended not to receive, till you had firſt tried whether you could break through the Army, raiſed for the Defence of this Kingdom and Parliament, and take the City, being unprovided and ſecure, in expectation of a fair Treaty made to ſecure the City; If herein your Majeſty had prevailed, after you had deſtroyed the Army, and maſtered the City, it is eaſie to imagine what a miſerable Peace we ſhould have had, and whether thoſe Courſes be ſutable to the Expreſſions your Majeſty is pleaſed to make in your Anſwer to our Petition, of your Earneſtneſs to avoid any further Effuſion of Blood, let God and the World judge. As for our Proceedings, they have in all things been anſwerable to our Profeſſions; We gave Directions to the Earl of *Eſſex* to draw the Army under his Command, out of the City and Suburbs, before we ſent any Meſſage to your Majeſty, ſo that part of it was inquartered at *Brainford* before the Committee returned with your Anſwer; and immediately upon the Receipt thereof, that very Morning, order was taken that the Soldiers ſhould exerciſe no Acts of Hoſtility againſt any of your Majeſty's People, we ſent a Letter by Sir *Peter Killigrew* to know your Majeſty's pleaſure, whether you intended the like forbearance of Hoſtility; but the Fury of your Soldiers thirſting after Blood and Spoil, prevented the Delivery of the Letter; for coming upon *Saturday* in his way towards your Majeſty as far as *Brainford*, he found them in fight there, and could paſs no further. God who ſees our Innocency, and that we have no Aims but at his Glory and the Publick Good, will, we hope, free your Majeſty from theſe de-

destructive Councels of some who labour to maintain their own Power by *Blood* and *Rapine*, and bless our Endeavours, who seek nothing but to procure and establish the Honour, Peace and Safety of your Majesty and Kingdoms, upon the sure Foundation of Religion and Justice. *Caroli* 18.

To which Answer of both Houses of Parliament, his Majesty makes this Reply.

The King's Reply.

THat his Message of the Twelfth, though not received by them till the Fourteenth, was sent to them first upon the *Sunday* upon which it was dated, and meeting with stops by the way, was again sent upon the Thirteenth, and taken upon that day at Ten in the Morning by the Earl of *Essex*, and though not to him directed, was by him opened; so the slowness of the Delivery is not so strange, as the stop of the Letter said to be sent by Sir *Peter Killigrew*, which his Majesty hath not yet received, but concludes from the matter expressed to have been contained in that Letter (to wit, to know his pleasure, whether he intended the forbearance of Hostility) and by the command of such forbearance, said to be sent the Lord of *Essex* his Army, that no such forbearance was already concluded, and consequently neither had his Majesty cause to suppose that he should take any of their Forces unprovided and secure, in an expectation of a fair Treaty; neither could any hostile Act of his Majesty's Forces have been a course unsutable to his Expressions, much less could an endeavour to prepossess, (for so he hoped he might have done that place) which might have stopt the further March of these Forces towards him (which, for ought appeared to him, might as well have been intended to *Colebrook* as to *Brainford*) and by that further Effusion of Blood deserve the stile.

His Majesty further conceives, That the printing so out of time such a Declaration as their Reply to his Answer to theirs of the 26th of *May*, but the day before they voted the Delivery of their Petition, and the march of the Earl of *Essex*'s Forces to *Brainford*, so near to his Majesty, when the Committee at the same time attended him with a Petition for a Treaty, the Earl of *Essex* being before possest of all the other Avenues to his Army, by his Forces at *Windsor*, *Acton*, and *Kingstone*, was a more strange Introduction to Peace, then for his Majesty not to suffer himself to be coop't up on all sides, because a Treaty had been mentioned, which was so really and so much desired by his Majesty, that this proceeding seems to him purposely by some intended to divert, which it could not do, that his Inclination.

That his Majesty had no intention to Master the City by so Advancing, besides his Profession, which how meanly soever they seem to value it, he conceives a sufficient Argument, especially being only opposed by suspicions and surmises, may appear by his not pursuing his Victory at *Brainford*, but giving order to his Army to march away to *Kingstone* assoon as he heard that place was quitted, before any notice or further appearance of Forces from *London*; nor could he find a better way to satisfie them before hand, that he had no such Intention, but that his desire of Peace and of Propositions, that might conduce to it, still continued, then by that Message of the Twelfth, for which care of his he was requited by such a Reception of his Message and Messenger, as was contrary at once both to Duty, Civility, and the very Customs and Law of War and Nations; and such as theirs, though after this provocation, have not found from him.

His

An. 1642.

His Majeſty wonders that his Soldiers ſhould be charged with Thirſting after Blood, who took above 500 Priſoners in the very heat of the Fight, his Majeſty having ſince diſmiſſed all the common Soldiers, and entertained ſuch as were willing to ſerve him, and required only from the reſt an Oath not to ſerve againſt him. And his Majeſty ſuppoſes ſuch moſt apt and likely to maintain their Power by Blood and Rapine, who have only got it by Oppreſſion and Injuſtice; that his is veſted in him by the *Law*, and by *that Only* (If the deſtructive Counſels of others, would not hinder ſuch a Peace, in which that might once again be the *Univerſal Rule*, and in which Religion and Juſtice can only flouriſh) he deſires to maintain it. And if Peace were equally deſired by them, as it is by his Majeſty, he conceives it would have been proper to have ſent him ſuch a Paper, as ſhould have contained juſt Propoſitions of Peace, and not an unjuſt Accuſation of his Councels, Proceedings, and Perſon. And his Majeſty intends to march to ſuch a diſtance from his City of *London*, as may take away all pretence of Apprehenſion from his Army, that might hinder them in all Security from yet preparing them to preſent to him, and there will be ready either to receive them, or end the Preſſures or Miſeries which his Subjects, to his great grief, ſuffer through this War by a preſent Battel.

Die Mercurij, 23 Novemb. 1642.

The Declaration of the Lords and Commons now aſſembled in Parliament for the ſuppreſſing of divers Papiſts, ***and other*** **Malignant Perſons, *in the Counties of* York, Northumberland, Weſtmoreland, Cumberland, Lancaſhire, Cheſhire,** ***the County Palatine of*** **Dureſme, *and the Town of*** **Newcaſtle, *who have taken the Oath of Aſſociation againſt the King and Parliament.***

To ſuppreſs Papiſts and Malignants in the North, *Nov.* 23. 1642. and to Aſſociate themſelves.

THE Lords and Commons now Aſſembled in Parliament, being certainly Informed that the Papiſts and other Malignants, and ill-affected Perſons in the County of *York*, *Northumberland*, *Weſtmoreland*, *Cumberland*, *Lancaſhire*, *Cheſhire*, County Palatine of *Dureſme*, and Town and County of *New-Caſtle*, have entered into Aſſociation, and have cauſed, and daily do cauſe, great Forces both of Horſe and Foot, to oppoſe and diſtreſs the well-affected Subjects, and to aid and ſuccour the Popiſh and Malignant Party in thoſe Northern Parts, and in particular thoſe now in the City of *York*, the ſaid Lords and Commons do declare, That they hold it a thing moſt fit, neceſſary, and healthful for the preſent State of this Kingdom, and do accordingly order, That all Lord-Lieutenants, Deputy-Lieutenants, Colonels, Captains, and other Officers, and all other well-affected Perſons, Inhabitants in the ſeveral Counties of *York*, *Lincoln*, *Nottingham*, *Derby*, *Stafford*, *Cheſhire*, *Lancaſter*, *Northumberland*, *Cumberland*, *Weſtmoreland*, County Palatine of *Dureſme*, and Town and County of *New-Caſtle*, do and ſhall Aſſociate themſelves, and mutually aid, ſuccour, and aſſiſt one another by raiſing Forces of Horſe and Foot, and leading them into places which ſhall be moſt convenient and neceſſary, and by all good ways and means whatſoever to ſuppreſs and ſubdue the Popiſh and Malignant Party in the ſaid ſeveral Counties, and every of them for ſo doing, ſhall be ſaved and kept harmleſs by the Power and Authority of Parliament.

And

. And the ſaid Lords and Commons taking into their ſerious Conſideration, the neceſſity of appointing a Commander in Chief over the Officers which are, or ſhall be raiſed in the Counties aforeſaid, or any of them, for the Service aforeſaid, in regard that by the particular Commiſſions already granted to Perſons in the ſaid ſeveral Counties, there is not power given to lead Forces out of their own Counties; It is ordered, That the Lord General the Earl of *Eſſex*'s Excellency, ſhall be deſired to grant ſuch Commiſſions to the Lord *Fairfax*, in his Excellency's Abſence from the ſaid Counties, for Leavying, Leading and Conducting all ſuch Forces as are, or ſhall be raiſed in the ſaid ſeveral Counties, for the Service of the King and Parliament, as his ſaid Excellency to himſelf hath given to his Army, and to uſe Martial Law to compel to Obedience thereunto, as Occaſion ſhall require; And alſo Power and Authority to make and appoint Colonels, Captains and other Officers, for Leavying, Conducting and Leading the Forces, as he ſhall think fit. 18 *Caroli*

Ordered by the Lords and Commons aſſembled in Parliament, That this Declaration be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

The humble Petition of both Houſes of Parliament, preſented to his Majeſty on the 24th of *November*, 1642.

May it pleaſe your Majeſty,

IT is humbly deſired by both Houſes of Parliament, That your Majeſty will be pleaſed to return to your Parliament with your Royal, not your Martial *Attendance, to the end that Religion, Laws, and Liberties may be ſettled, and be ſecured by their Advice, finding by a late and ſad Accident, that your Majeſty is inviron'd by ſome ſuch Counſels, as do rather perſwade a deſperate Diviſion, then a joyning and a good Agreement with your Parliament and People. And we ſhall be ready to give your Majeſty Aſſurances of ſuch Security as may be for the Honour and Safety of your Royal Perſon.*

The Petition of the Houſes preſented to the King at *Oxford*, *Nov.* 24. to return to his Parliament.

His Majeſty's Anſwer to the aforeſaid Petition.

WE expect ſuch Propoſitions from you as might ſpeedily remove and prevent the Miſery and Deſolation of this Kingdom, and that for the effecting thereof, we now reſiding at a convenient place, not far from our City of *London*, Committees from both our Houſes of Parliament ſhould *Attend us*. For by your Meſſage to us at *Colebrook* that thoſe were your deſires, (inſtead thereof, and thereby let all the World judge of the deſign of that Overture) we have only received your humble Petition, That we would be pleaſed to return to our Parliament, with our *Royal*, not our *Martial* Attendance. All our good Subjects that remember what we have ſo often told you and them upon this Subject, and what hath ſince paſt, muſt with Indignation look upon this Meſſage, as intended by the Contrivers thereof for a *Scorn* to us, and thereby deſigned by that Malignant Party, of whom we have ſo often complained, whoſe Safety and Ambition is built upon the Diviſions and ruines of this Kingdom, and who have too great an Influence upon your Actions, for a *Wall of Separation* betwixt us and our People. We have told you the Reaſon why we departed from *London*, how we were chaſed thence,

The King's Anſwer.

An. 1642.

thence, and by whom. We have often complained that the greateſt part of our Peers, and of the Members of the Houſe of Commons, could not with Safety to their Honours and Perſons, continue and Vote freely among you, but by Violence and cunning Practices, were debarred of thoſe Priviledges which their Birth-rights, and the Truſt repoſed in them by their Country, gave them; the Truth whereof may ſufficiently appear by the ſmall number of thoſe that are with you. We offer'd you to meet both our Houſes in any Place free and convenient for us and them, but we could never receive the leaſt Satisfaction in any of theſe Particulars; nor for thoſe Scandalous and Seditious Pamphlets and Sermons which ſwarm amongſt you. That's all one you tell us; It is now for our Honour, and for the Safety of our Royal Perſon, to return to our Parliament, wherein you formerly denied us a Negative Voice. Give us cauſe to believe, that by giving your ſelves that Name, without us, you intend not to acknowledge us to be part of it. The whole Kingdom knows that an Army was raiſed under pretence of Orders of both Houſes, an Uſurpation never heard of before in any Age; which Army hath purſued us in our Kingdom, gave us Battel at *Keynton*, and endeavoured to take away the Life of us and our Children; and yet theſe Rebels, being newly recruited and poſſeſſed of our City of *London*, we are courteouſly invited to return to our Parliament there, that is, to the Power of this Army: Doth this ſignifie any other thing, then that ſince the Traiterous Endeavour of thoſe deſperate Men could not ſnatch the Crown from our Head, it being defended by the Providence of God, and the Affection and Loyalty of our good Subjects, we ſhould now tamely come up, and give it them, and put our ſelves, our Life, and the Lives, Liberties, and Fortunes of all our good Subjects, into their merciful hands. Well, we think not fit to give any other Anſwer to this part of your Petition. But as we impute not this Affront to both our Houſes of Parliament, nor to the major part of thoſe who are now preſent there, but to that dangerous Party, we and the whole Kingdom muſt cry out upon; ſo we ſhall, for our good Subjects ſake, and out of our moſt tender ſenſe of their Miſeries, and the general Calamities of this Kingdom, which muſt, if this War continue, ſpeedily overwhelm this whole Nation, take no advantage of it; but if you ſhall really purſue what you preſented to us at *Colebrook*, we ſhall make good all that we then gave you in Anſwer to it, whereby the Hearts of our diſtreſſed Subjects may be raiſed with the hopes of Peace, without which Religion, the Laws and Liberties, can no ways be ſettled and ſecured. Touching the late and ſad Accident you mention, if you thereby intend that of *Brainford*, we deſire you once again to deal ingeniouſly with the People, and let them ſee our laſt Meſſage to you, and our Declaration to them concerning the ſame, both which we ſent to our Preſs at *London*, but were taken away from our Meſſenger, and not ſuffered to be publiſhed, and then we doubt not they will be ſoon undeceived, and eaſily find out thoſe Councels which do rather perſwade a deſperate Diviſion, then a good Agreement betwixt us, our two Houſes and People.

Nov. 23. The beginning of the *Aſſociations.*

About this time the Earl of *New caſtle* aſſociated the Counties of *Northumberland*, *Cumberland*, *Weſtmoreland*, the Biſhoprick of *Durham*, and *New-caſtle upon Tyne*, for the raiſing of Forces for his Majeſty, and afterwards had other Counties added to the ſame Aſſociation. Whereupon the Parliament proceeded alſo to make particular Aſſociations, under particular Perſons: As,

1. The Lord *Ferdinando Fairfax* for the County of *York*, and all the before-mentioned Northern Counties.

Sir

2. Sir *William Brereton* for *Cheshire* and other adjacent Counties.
3. Sir *William Waller* for *Hampshire* and other Western Counties.
4. Lord *Gray* of *Grooby* for *Leicestershire*, &c.
5. Earl of *Manchester* for *Essex* and the Eastern Counties.
6. The Earl of *Denbigh* for *Shropshire*, &c.
7. Major-General *Brown* for *Berkshire*, &c. And
8. Sir *Thomas Middleton* for *North-Wales*.

18 *Caroli.*

Die Jovis, Novemb. 24. 1642.

An Order for the Relief of *Manchester*, *Nov.* 24. 1642.

WHereas the Lords and Commons are informed that the Town of *Manchester*, and some other Parts within the County Palatine of *Lancaster*, have for a long time been at excessive Charges for the Defence of such as are well-affected to the Proceedings of the Parliament, from the Injuries, Oppressions, Illegal and Exorbitant Practices of the Commissioners of Array, the Papists, and *other* malignant Persons within the County, especially now when their Power doth much increase by the general rising of the Papists there, and therefore have great need of a Supply of Strength, which was long since expected; yet on the contrary, they will be forced to disband their Garrison of Soldiers which they have maintained as long as they are able, and so expose themselves, not only to the violence of their Enemies, but much dishonour the Cause, and weaken the good Party, unless they have some present Supply of Money; Therefore it is ordered by the Lords and Commons in Parliament, That for such Moneys or Plate as Mr. *Tho. Case*, or any other Person shall under-write, for the defence of *Lancashire*, and the reducing of the Malignant Party there, they shall have the Publick Faith, to be repayed with Satisfaction, after 8 *l. per Cent.* And that Sir *John Wollaston* Kt. Alderman *Warner*, Alderman *Towse*, and Alderman *Andrews* take such Subscriptions, and Issue the same for the use of the said County, so as may best conduce for the Service thereof, to give Account thereof to the House of Commons.

J. Browne Cler. Parliamentorum.

By the KING.

A Proclamation for *the better Governing of his Majesty's Army*, and for the preventing the Plundering, Spoiling, and Robbing of his Majesty's Subjects, under any Pretence whatsoever, upon pain of the Punishments herein declared, *Nov.* 25. 1642.

WE having taken into our Princely and serious Consideration the great Misery and Ruine falling, and like to fall upon our good Subjects (if not timely prevented) by the Plundering, Robbing, and Spoiling of their Houses, and taking from them their Money, Plate, Houshold-stuff, Cattel, and other Goods, under pretence of their being disaffected to us and our Service; And these unjust and unlawful Actions done by divers Soldiers of our Army, and others sheltring themselves in the same, under that Title, have, of our tender Commiseration of such their Sufferings, as detesting all such horrid and barbarous Proceedings; and for their future defence and preser-

An. 1642.

vation, thought fit to publiſh and declare our Royal Pleaſure to be, That from henceforth no Officer, Soldier of Horſe or Foot, or Party ſent from our Army, preſume to ſearch for, or ſeize upon any Money, Plate, Goods, or Houſe-hold-ſtuff, belonging to any our Subjects, of what Condition ſoever, without our expreſs Warrant for the ſame, under our Sign Manual, declaring the Cauſe of ſuch ſeizure: And if any, either Officer or Soldier of our Army of Horſe or Foot, preſume from henceforth to Plunder, Spoil, or Rob any of our People, or take from them any their Money, Plate, Houſhold-ſtuff, or any Oxen, Sheep, or other Cattel, or any Victuals, Corn, Hay, or other Commodities or Proviſions going to, or from any our Markets or otherwiſe, being in the Grounds, Houſes, or Poſſeſſion of any our Subjects, without giving full Satisfaction for the ſame: Upon Complaint made thereof, we will and command the Officer in chief of the Quarter within which ſuch Fact ſhall be committed, to proceed againſt ſuch Offender or Offenders by the Law Martial, without favour or connivance, and cauſe him or them to be Executed accordingly without mercy. And if any Officer in chief of ſuch Quarter, ſhall either neglect or refuſe to do Juſtice upon any perſon whatſoever, offending againſt any particular herein mentioned, our Will is, and we do require the Party grieved to repair unto us, whereſoever we ſhall remain, and appeal to our Juſtice, which we ſhall be ever moſt ready to afford any of our Subjects for redreſs of their Suffering, in any the leaſt kind whatſoever. Likewiſe, for the better order in our Army, and for the preſervation of the due Government thereof, we do farther ſtrictly charge and command all Officers and Soldiers, both of Horſe and Foot of the ſame, as alſo all Parties ſent out, That they, nor any of them, preſume to depart or be abſent from their Quarter, without a Paſs or Licence under the hand of the Officer commanding in chief in ſuch Quarter of our Army, upon pain of death; nor that any other, but ſuch our Officer in chief, preſume to give any Paſs or other Licence to any Officer or Soldier to be abſent, upon pain of caſhiering. And that our pleaſure herein declared may be fully obſerved, and produce the Effects we intend, for the good and ſecurity of our Subjects, we do hereby further require all the Officers commanding in chief, in any of the Quarters of our Army, to cauſe this our Proclamation to be publiſhed and made known to all the Officers and Soldiers under their command, and to ſee that ſevere and due puniſhment be inflicted upon ſuch as ſhall henceforth offend againſt any the leaſt Particulars herein before-mentioned, as they and every of them expect to avoid our high diſpleaſure for the neglect thereof.

Given at our Court at *Reading*, the 25th Day of *November*, in the Eighteenth Year of our Reign.

God ſave the K I N G.

Nov. 29. Skirmiſhes in *Lancaſhire.*

A Rancounter happened between the Earl of *Darby*'s Troops, and the Country People of *Leigh*, *Loaton-Common* and *Chow-bent* in *Lancaſhire*, wherein the Earl's Forces were forced to Retreat, and ſome of them killed and taken Priſoners. And about the ſame time Sir *Gilbert Houghton*, who ſet a Beacon on fire on the top of the Tower of his Houſe, was worſted at *Hinfield-Moor* in the ſame County, by Mr. *Shuttleworth* a Parliament-man, and others.

18 *Caroli.*

A Letter ſent from the *Hague* in *Holland*, and directed to Secretary *Nicholas*, but intercepted by the way, and read in both Houſes of Parliament on *Saturday*, *Nov.*26. 1642. and by them ordered to be printed, and read in all Pariſh Churches in the City of *London* and Suburbs.

A Letter intercepted *Nov.*26. 1642. mentioning great Preparations for the King abroad.

IT is now long ſince I had the opportunity of writing to you, but ſince my firſt have not heard any thing from you at all. The occaſion of our long ſtay here, was, firſt the expectation of our Iriſh Ships, next the raiſing Money, which the Propoſition of New-caſtle *drew as faſt as it could Advance; the failing of the Ships, had it not been ſupplied by the Reputation of the King's Succeſs at Land, had given us a dangerous Blow here; but that hath ſo ſupported our Credit, that the Prince of* Orange *hath ſince played his part, and advanced all thoſe Sums we were to expect, of which* 20000 *l. is ſent towards you,* 20000 *l. to* New-caſtle, *and* 20000 *l. at leaſt we bring with us, beſides the great Buſineſs which we expect this day a final end of, which will advance* 60000 *l. more, in which we are aſcertained of the Prince of* Orange *his utmoſt Power: Such nevertheleſs we apprehend the importance of the Queens being in* England, *that we had gone this laſt week, and expected the coming of that after, had not an unſeaſonable Complement from your ſide ſtopt us, till this Expreſs ſent to you. The Fleet is now ready, and this week we certainly go; if thoſe Counſels or Chances that tend to dilatory Reſolutions, move not more effectually, then the certain Advantages of our Expedition, and diſpatch from hence, all our Affairs being now done, and nothing more to be expected. That you may know upon what grounds we go, and what ſecurity we expect there, and what advantage you in the South are to derive from it; You muſt know we have ſent over* 10000 *Foot Arms, beſides the Garriſon, near* 2000 *Horſe Arms, and* 20 *pieces of Cannon; we bring over Wagons, and all Accommodation to march ſo ſoon as we arrive; we carry very conſiderable Officers from hence; and by the Advice we receive from that ſide,* 8000 *Men are on foot already,* 6 *Troops of Horſe, and the reſt will not be long on raiſing after we come there. General* King *is deſigned for Lieutenant General, hath been with the Queen, and will be ſuddenly there. From* Denmark *are likewiſe ſent Arms for* 10000 *Foot and* 1500 *Horſe, with a Train of Artillery, and every thing proportionable, to the very Drums and Halbards. Two good Men of War come their Convoy, and in them an Ambaſſadour to his Majeſty, a Perſon of great quality in* Denmark. *I hope it will be a general care there to ſee him nobly treated, for the entertainment and neglect of the laſt was much complained of, and is ſo much Reſented by that King, that it had like to have fruſtrated all our Expectations in that Court, had not* Cothram *very handſomly evaded it;* He *comes along with the Ambaſſadour, with whom if you encounter, he will communicate ſome Propoſitions of great Importance, which in how much the fewer hands they are carried, will be ſo much the better liked by them you are to deal with. If any Imployment in this Affair may fall upon your Servant that writes to you, I know you will not be unmindful of him.*

We have great Apprehenſions here by ſomething intimated from my Lord of Holland, *of a Treaty further entred into then we have Advertiſement of, or can well approve. We have confidently believed your approaching* London (*if you had not made too long ſtay upon the way*) *would have determined that Matter; and what the Difficulties are now of that, we cannot yet underſtand; for if Intelligences from thence come as freely to you as to us, the King's Party there are very conſiderable, and full of that Expectation,*

and

An. 1642. *and a day or two loſs of time, by the late Example of* Hull, *may be judged of, what contrary Conſequences it may produce.*

We hear my Lord of Eſſex *approaches* London, *but believe he will be ſo waited on by the King's Horſe, as not to let him joyn with their Forces there, being now ſo lame an Army, without Horſe or Canon, as the Relations you ſend hither makes him to be. We believe the King's Horſe likewiſe ſo great a Body, that it will be as troubleſome, as unneceſſary for them to ſubſiſt together, and think ſo many Troops may be well ſpared, as may be ſent into* Kent, *to countenance a Party to be ſet on Foot there, which according to our Intelligence here, would undoubtedly be found very affectionate and conſiderable; ſo that by ſparing 500 Horſe, you might poſſibly add to your Army 5000 Foot, to be imployed upon the River on that ſide the Town.*

If the unhappy Interruption had not come of the laſt weeks Letters, we had undoubtedly been with you on the other ſide in Norfolk *and* Eſſex, *within three weeks, and in that Condition having all the Kingdom to befriend us on every ſide, it will not be hard to judge, whether ſhould have been better able to ſubſiſt, they within the Town, or the King's Army without: Admit my Lord of* Eſſex *were gotten in, or that the Town had not yielded it ſelf ſo ſoon as you had approached, you may yet certainly preſume on this, that being once on foot, we ſhall be able to Collect for you all the 400000 l. Subſidies, univerſally throughout the whole Kingdom, which will make the King's Army ſubſiſt, and wear out theirs; beſides which, the Money we bring, what we expect from* Denmark *and* France, *are all Encouragements to make us expect no Treaties to be admitted, but upon tearms of great Advantage and Honour to his Majeſty. Thoſe you are beſt able to judge of upon the place. If the King have uſe of them, I am confident you may expect from* France (*ſo ſoon as you ſet footing in* Kent, *and ſhall intimate your deſire of the ſame*) *the Three Regiments of his Majeſty's own Subjects there imployed, under Col.* Hill, *Col.* Fitz-Williams, *and Col.* Beling. *Your Letters directed to* New-caſtle *will direct our Addreſſes to* France, *for I hope we ſhall yet be there before you can return any in Anſwer to this.*

Hague, Nov. 22. 1642.

The manner how this aforeſaid LETTER *was intercepted and taken.*

The manner of intercepting this Letter.

ON *Saturday* Morning the Gentleman that brought this Letter from *Holland* came up to *London* in a *Graveſend* Boat, intending to land at *Brainford*, and therefore, for the more Expedition ſhot the Bridge; which being perceived by one of the Pinaces that lay on this ſide for the Guard of the City and Parliament, and being known to be a *Graveſend* Boat, which always Land on the other ſide at *Billingſgate*, they called to them to know their Buſineſs; but they, not regarding their Summons, ſtill poſted away; whereupon the Men in the Ship made after them and hald them in, Examined the Gentleman, and having ſome ſuſpicion ſearcht him, and found this with ſome other Letters about him; whereupon they preſently carried him up to the Parliament, where after Examination his Letters were taken from him, and he committed to ſafe Cuſtody.

This Letter (as is ſuppoſed) was writ by Colonel *Goring*.

By

18 *Caroli.*

By the MAYOR.

An Order of the Mayor touching the Raiſing of 30000 *l.* Nov. 26.

WHereas certain Letters from Forreign Parts, and ſeveral places of the Kingdom have been intercepted, and brought unto the Parliament, diſcovering the deſperate Deſigns and Plots of Papiſts, and other ill-affected, in collecting great Sums of Money, and providing many thouſands of Men and Arms, for the Ruine of our Religion and Kingdom. For the preſerving and ſecuring whereof, there is great neceſſity of a preſent and ſpeedy ſupply of Money, that the Army may ſuddenly Advance, for preventing of the many Outrages that the Cavaliers daily commit in ſeveral places of this Kingdom at once. And in regard the Burthen hath hitherto lain upon the willing and well-affected Perſons, the Lords and Commons aſſembled in Parliament have paſſed an Ordinance, That all ſuch Perſons as hitherto have not contributed, or not proportionable to their Eſtates, upon the Propoſitions of Parliament, for the Safety of the Kingdom, ſhall be aſſeſſed and compelled to contribute and pay according to their Ability. And foraſmuch as Moneys cannot be advanced by virtue of that Ordinance, to ſupply the urging and preſſing Occaſions of the Army, it is deſired by a Committee of the Lords and Commons, appointed by the Parliament for advancing of Money, that a Sum of 30000 *l.* might be raiſed by *Tueſday* in the Afternoon, and all ſuch as ſhall lend any Money for the preſent raiſing of the ſame, ſhall be paid their Moneys ſo laid out, out of the firſt Moneys that ſhall be Collected upon the ſaid Ordinance. And for the better advancing of this neceſſary Service, the Miniſters of every Pariſh are requeſted publickly to ſtir up the Pariſhioners hereunto. And that the Church-wardens of every Pariſh cauſe an Aſſembly of the Pariſhioners, to morrow after Sermon in the Afternoon, that amongſt them they raiſe a proportionable Fund, and that upon *Munday* next, at Three of the Clock in the Afternoon, the Church-wardens appear at *Guild-hall* before the ſaid Committee, to give an Account of what Moneys they have raiſed.

Dated *Novemb.* 26. 1642.

Iſaac Pennington Mayor.

An Ordinance and Declaration of the Lords and Commons in Parliament, for Aſſeſſing Non-Contributors upon the Propoſitions for Lending Money, Raiſing of Horſe and Arms.

An Ordinance for Aſſeſſing ſuch as have not contributed towards raiſing Horſe and Arms, *Nov.* 29.

WHereas the King, *ſeduced* by wicked Counſel, hath raiſed an Army, and leavied War againſt the Parliament, and great numbers of Forces are daily raiſed under the Command of Papiſts, and other ill affected Perſons, by Commiſſions from his Majeſty: And whereas divers Delinquents are protected from Publick Juſtice by his Majeſty's Army, and ſundry Outrages and Rapines are daily committed by the Soldiers of the ſaid Army, who have no reſpect to the Laws of God or the Land, but burn and plunder the Houſes, and ſeize and deſtroy the Perſons of divers his Majeſty's good Subjects. *And whereas* for the maintenance of the ſaid Army, divers Aſſeſſments are made upon ſeveral Counties, and his Majeſty's Subjects are compelled by the Soldiers to

An. 1642. to pay the ſame; which ſaid Army, if it ſhould continue, would ſoon ruine and waſte the whole Kingdom, and overthrow Religion, Law, and Liberty. For *ſuppreſſing* of which ſaid Army and ill-affected Perſons, there is no probable way, under God, but by the Army raiſed by Authority of the Parliament; which ſaid Army ſo raiſed cannot be maintained without great Sums of Money, yet for raiſing ſuch Sums, by reaſon of his Majeſty's withdrawing himſelf from the Advice of the Parliament, there can be *no Act* of Parliament paſſed with his Majeſty's *Aſſent*, albeit there is great Juſtice that the ſaid Money ſhould be raiſed, the Lords and Commons in Parliament having taken the ſame into their ſerious Conſiderations, and knowing that the ſaid Army, ſo raiſed by them, hath been hitherto, for the moſt, maintained by the voluntary Contributions of divers well-affected Perſons, who have freely contributed according to their Abilities.

But conſidering there are divers others within the Cities of *London* and *Weſtminſter*, and the Suburbs of the ſame, and alſo within the Borough of *Southwark*, that have not contributed at all towards the maintenance of the ſaid Army, or if they have, yet not anſwerable to their Eſtates, who notwithſtanding receive benefit and protection by the ſaid Army, as well as any others, and therefore it is moſt juſt that they ſhould, as well as others, be charged to *contribute* to the maintenance thereof.

Be it therefore Ordained by the Lords and Commons in Parliament Aſſembled, and by Authority thereof, That *Iſaac Pennington* Lord Mayor of the City of *London*, Sir *John Wollaſton* Kt. and Alderman, Alderman *Towes*, Alderman *Warner*, Alderman *Andrews*, Alderman *Chambers*, Alderman *Fowke*, Sir *Thomas Soame* Kt. and Alderman, *Samuel* Citizens; or any four of them, ſhall have power and authority to nominate and appoint in every *Ward* within the City of *London*, ſix ſuch Perſons as they, or any four of them, ſhall think fit; which ſaid ſix ſo nominated, or any four of them, ſhall hereby have power to enquire of any that ſhall remain, or be within the ſaid ſeveral Wards, that have *not contributed upon the Propoſitions* of both Houſes of Parliament, concerning the raiſing of Money, Plate, Horſe, Horſmen and Arms, for Defence of the King and Parliament, and alſo of ſuch as are able men, that have contributed, yet not according to their Eſtates and Abilities. And the ſaid ſix Perſons ſo nominated, or any four of them, within their ſeveral and reſpective Wards and Limits, ſhall have power to *Aſſeſs* ſuch Perſon and Perſons, as are of Ability and have not contributed, and alſo ſuch as have contributed, yet not according to their Ability, to pay ſuch Sum or Sums of Money, according to their Eſtates, as the ſaid Aſſeſſors, or any four of them, ſhall think fit and reaſonable, ſo as the ſame exceed not the *twentieth part* of their Eſtates, and to nominate and appoint fit Perſons for the Collection thereof: And if any Perſon ſo Aſſeſſed ſhall refuſe to pay the Money Aſſeſſed upon them, it ſhall be lawful to and for the ſaid Aſſeſſors and Collectors, or any of them, to leavy the ſaid Sums ſo Aſſeſſed by way of Diſtreſs, and Sale of the Goods of the Perſons ſo Aſſeſſed and Refuſing; and if any Perſon ſo diſtrained ſhall make Reſiſtance, it ſhall be lawful to and for the reſpective Aſſeſſors and Collectors, or any of them, to call to their Aſſiſtance any of the Trained-Bands of the ſaid City of *London*, or any other his Majeſty's Subjects, who are hereby required to be aiding and aſſiſting to the ſaid Aſſeſſors and Collectors in the Premiſſes. And it is hereby further Ordained, That the reſpective Burgeſſes of *Weſtminſter* and *Southwark*, together with the ſeveral Committees

Committees appointed for the Subſcriptions of Money, Plate, Horſe, Horſmen and Arms, within the ſaid City and Borough, ſhall reſpectively have power hereby to nominate Seſſors for the ſaid City and Borough, in ſuch manner as the Lord Mayor, *&c.* hath for the City of *London*; And the ſaid Aſſeſſors, or any four of them, to name Collectors as aforeſaid, which ſaid Aſſeſſors and Collectors ſhall have the ſame power reſpectively within their reſpective Limits, as thoſe to be nominated within the ſaid City of *London* have hereby limited to them. And for the Suburbs of the Cities of *London* and *Weſtminſter*, the reſpective Knights of the Shire where the ſaid Suburbs are, ſhall have hereby the like power to name Aſſeſſors; And they ſo named, or any four of them, and the Collectors by them to be nominated, or any of them, within their reſpective Limits, ſhall have the like power reſpectively as the Aſſeſſors and Collectors for *London* have by virtue of this Ordinance. 18 *Caroli.*

And be it Ordained, That the Sums ſo aſſeſſed and leavied, as aforeſaid, ſhall be paid in at *Guild-hall*, *London*, to the Hands of Sir *John Wollaſton* Kt. *John Warner*, *John Towes*, and *Thomas Andrews*, Aldermen, or any two of them. And the Aſſeſſors and Collectors to be nominated by virtue hereof, ſhall weekly report to the Committee of the Houſe of Commons for the Propoſitions aforeſaid, what Sums of Money have been aſſeſſed, and what Sums have been leavied weekly, according to the purport hereof. And the ſaid Moneys ſo leavied and paid in, ſhall be iſſued forth in ſuch ſort as the other Moneys raiſed upon the Propoſitions aforeſaid, and not otherwiſe.

His Majeſty's Declaration to all his Loving Subjects; upon Occaſion of the Ordinance and Declaration of the Lords and Commons for Aſſeſſing all *ſuch who* have not Contributed *ſufficiently for the raiſing Money, Plate*, &c.

The King's Declaration touching the foregoing Ordinance.

IT would not be believed (at leaſt great pains have been taken that it might not) that the pretended Ordinance of the *Militia* (the firſt Attempt that ever was to make a Law by *Ordinance* without our Conſent) or the keeping us out of *Hull*, and taking our Arms and Munition from us, could any way concern the Intereſt, Property, or Liberty of the Subject; and it was confeſſed by that *deſperate Declaration* it ſelf of tho 26th of *May*, *That if they were found Guilty of that Charge of deſtroying the Intereſt and Title of our Subjects to their Lands and Goods, it were indeed a very great Crime.* But it was a ſtrange fatal Lethargy which had ſeized our good People, and kept them from diſcerning, That the Nobility, Gentry, and Commonalty of *England* were not only ſtripped of their Preheminences and Priviledges, but of their Liberties and Eſtates, when our juſt Rights were denied us; and that no Subject could from thenceforth expect to dwell at home, when we were driven from our Houſes and our Towns. It was not poſſible that a Commiſſion could be granted to the Earl of *Eſſex* to raiſe an Army againſt us, and for the Safety of our Perſon and Preſervation of the Peace of the Kingdom, to purſue, kill and ſlay us, and all who wiſh well to us; but that in a ſhort time inferiour Commanders, by the ſame Authority, would require our good Subjects, for the maintenance of the Property of the Subject, to ſupply them with ſuch Sums of Money as they think fit, upon the Penalty of being plundered *with all extremity of War* (as the ſtile of Sir *Edward Bainton's* Warrant runs againſt our poor Subjects in *Wiltſhire*)

An. 1642.

ſhire) and by ſuch Rules of unlimited Arbitrary Power, as are inconſiſtent with the leaſt pretence or ſhadow of that Property it would ſeem to defend.

If there could be yet any underſtanding ſo unskilful and ſupine to believe, that theſe Diſturbers of the Publick Peace, do intend any thing but a general Confuſion, they have brought them a ſad Argument to their own Doors to convince them. After this Ordinance and Declaration, 'tis not in any ſober Man's power to believe himſelf *worth any thing*, or that there is ſuch a thing as Law, Liberty, Property, left in *England*, under the Juriſdiction of theſe Men; and the ſame Power that robs them now of the *Twentieth* part of their Eſtates, hath by that but made a *Claim*, and entitled it ſelf to the other *Nineteen*, when it ſhall be thought fit to haſten the general Ruine. Sure, if the minds of all men be not ſtubbornly prepared for Servitude, they will look on this Ordinance as the greateſt Prodigy of Arbitrary Power and Tyranny, that any Age hath brought forth in any Kingdom. *Other* Grievances (and the greateſt) have been conceived intollerable, rather by the Logick and Conſequence, then by the Preſſure it ſelf; *This* at once ſweeps all that the Wiſdom and Juſtice of Parliaments have provided for them. Is their Property in their Eſtates (ſo carefully looked to by their Anceſtors, and ſo amply eſtabliſhed by us againſt any poſſibility of Invaſion from the Crown) which makes the meaneſt Subject as much a Lord of his own, as the greateſt Peer, to be valued or conſidered? Here is a Twentieth part of every man's Eſtate (or ſo much more as four men will pleaſe to call the Twentieth part) taken away at once, and yet a Power left to take a *Twentieth* ſtill of that which remains; and this to be leavied by ſuch Circumſtances of Severity, as no Act of Parliament ever conſented to. Is their *Liberty* (which diſtinguiſhes Subjects from Slaves, and in which this Free-born Nation hath the Advantage of all Chriſtendom) dear to them, they ſhall not only be impriſoned in ſuch places of this Kingdom, (a Latitude of Judgment no Court can challenge to its ſelf in any Caſes) but for ſo *long* time as the Committee of the Houſe of Commons for Examination ſhall appoint and order? The Houſe of Commons it ſelf having never aſſumed, or in the leaſt degree pretended to a power of Judicature, having no more Authority to adminiſter an Oath (the only way to diſcover and find out the truth of Facts) unto, than to cut off the Heads of any our Subjects; and this Committee being ſo far from being a part of the Parliament, that it is deſtructive to the *whole*, by uſurping to its ſelf all the power of King, Lords, and Commons. All who know any thing of Parliaments, know that a Committee of either Houſe ought not by the Law to publiſh their own Reſults, neither are their Concluſions of any Force without the Confirmation of the Houſe, which hath the ſame power of controuling them, as if the Matter had never been debated: But that any Committee ſhould be ſo contracted (as this of *Examination*, a ſtile no Committee ever bore before this Parliament) as to exclude the Members of the Houſe (who are equally truſted by their Country) from being preſent at their Councels, is ſo monſtrous to the Priviledges of Parliament, that it is no more in the power of any man to give up that Freedom, then of himſelf to order, That from that time the place for which he ſerves, ſhall never more ſend a *Knight* or *Burgeſs* to the Parliament; and in truth, is no leſs then to alter the whole Frame of Government, to pull up Parliaments by the Roots, and to commit the Lives, Liberties, and Eſtates of all the People of *England*, to the Arbitrary Power of a few unqualified Perſons, who ſhall diſpoſe thereof, according to their Diſcretion, without

without account to any Rule or Authority whatſoever. Are their Friends, their Wives and Children (the greateſt Bleſſings of Peace, and Comforts of Life) precious to them? Would their Penury and Impriſonment be leſs grievous by theſe Cordials? They ſhall be divorced from them, baniſhed, and ſhall no longer remain within the Cities of *London* and *Weſtminſter*, the Suburbs, and the Counties Adjacent, and how far thoſe adjacent Counties ſhall extend, no man knows. 18 *Caroli.*

Is there any thing now left to enjoy, but the liberty to Rebel, and to deſtroy one another? Are the outward Bleſſings only of Peace, Property, and Liberty taken and forced from our Subjects? and their Conſciences free and un-aſſaulted by the Violence of theſe Firebrands? Sure the Liberty and Freedom of Conſcience cannot ſuffer by theſe men. Alas! all theſe Puniſhments are impoſed upon them, becauſe they will not ſubmit to Actions contrary to their Natural Loyalty, to their Oaths of Allegiance and Supremacy, and to their late voluntary Proteſtation, which obliges them to the care of our Perſon, and our juſt Rights. How many Perſons of Honour, Quality, and reputation, of the ſeveral Counties of *England*, are now impriſoned without any Objections againſt them, but ſuſpicion of their Loyalty? How many of the greateſt and moſt ſubſtantial Citizens of *London*, by whom the Government and Diſcipline of that City was preſerved, are diſgraced, robbed, and impriſoned without any Proceſs of Law, or colour of Accuſation, but of Obedience of the Law, and Government of the Kingdom? Whilſt *Anabaptiſts* and *Browniſts*, with the aſſiſtance of vitious and debauched Perſons of deſperate Fortunes take upon them to break up and rifflle Houſes, as publick and avowed Miniſters of a new invented Authority. How many godly, pious and painful *Divines*, (whoſe Lives and Learning hath made them of Reverend Eſtimation) are now ſlandered with Inclination to *Popery*, diſcountenanced and impriſoned for diſcharging their Conſciences, inſtructing the People in the Chriſtian Duties of Religion and Obedience, whilſt ſchiſmatical, illiterate, and ſcandalous Preachers fill the Pulpits and Churches with *Blaſphemy*, Irreverence and Treaſon, and incite their Auditory to nothing but Murther and Rebellion? We paſs over the Vulgar Charm, by which they have captivated ſuch who have been contented to diſpenſe with their Conſciences for the preſervation of their Eſtates, and by which they perſwade men cheerfully to part with this Twentieth part of their Eſtate to the good Work in hand; for whoever will give what he hath, may ſcape robbing; they ſhall be repaid upon the Publick Faith, as all other Moneys lent upon the Propoſitions of both Houſes. It may be ſo; but men muſt be condemned to a ſtrange unthriftineſs, who will lend upon ſuch Security. The *Publick Faith* is indeed as great an Earneſt as the State can give, and engages the Honour, Reputation, and Honeſty of the Nation, and is the Act of the Kingdom; 'tis the Security of the King, the Lords, and Commons, which can never need an Executor, can never dye, never be Bankrupt, and therefore we willingly conſented to it, for the Indempnity of our Subjects of *Scotland*, (who we hope will not think the worſe of it, for being ſo often and ſo cheaply mentioned ſince.) But that a *Vote* of one or both Houſes ſhould be an Engagement upon the Publick Faith, is as impoſſible, as that the Committee of the Houſe of Commons for Examinations, ſhould be the High Court of Parliament. And what is, or can be ſaid with the leaſt ſhadow of Reaſon to juſtifie theſe Extravagancies? We have not lately heard of the old Fundamental Laws which uſed to warrant the Innovations; this needs a Refuge even below thoſe Foundations. They will ſay they cannot manage their great Undertakings

An. 1642. without ſuch extraordinary ways: We think ſo too; but that proves only that they have undertaken ſomewhat they ought not to undertake; not that it is lawful for them to do any thing that is convenient for thoſe ends. We remembred them long ago, and we cannot do it too often, of that excellent Speech of Mr. *Pyms*; *The Law is that which puts a difference betwixt Good and Evil, betwixt Juſt and Unjuſt; if you take away the Law, all things will fall into a Confuſion, every Man will become a Law unto himſelf, which in the depraved Condition of Humane Nature, muſt needs produce many great Enormities; Luſt will become a Law, and Envy will become a Law; Covetouſneſs and Ambition will become Laws; and what Dictates, what Deciſion ſuch Laws will produce, may eaſily be diſcerned.* It may indeed, by the ſad Inſtances over the whole Kingdom; but will Poſterity believe, that in the ſame Parliament this Doctrine was avowed with that Acclamation, and theſe Inſtances after produced? That in the ſame Parliament ſuch care was taken, That no Man ſhould be committed, in what caſe ſoever, without the Cauſe of his Impriſonment expreſſed; and, That all Men ſhould be immediately bailed, in all caſes bailable; and during the ſame Parliament, That Alderman *Pennington*, or indeed any Body elſe but the ſworn Miniſters of Juſtice, ſhould Impriſon *whom* they would, and for *what* they would, and for as *long* time as they would: That the King ſhould be reproached with Breach of *Priviledge*, for accuſing Sir *John Hotham* of High-Treaſon, when with Force of Arms he kept him out of *Hull*, and deſpiſed him to his Face, becauſe in no caſe a Member of either Houſe might be Committed or Accuſed without leave of that Houſe of which he is a Member; and yet that during the ſame Parliament, the ſame Alderman ſhould commit the Earl of *Middleſex*, (a Peer of the Realm) and the Lord *Buckhurſt* (a Member of the Houſe of Commons) to the *Compter*, without Reprehenſion? That to be a *Traitor* (which is defined, and every Man underſtands) ſhould be no Crime; and to be called a *Malignant*, (which no body knows the meaning of) ſhould be ground enough for cloſe Impriſonment? That a Law ſhould be made, That whoſoever ſhould preſume to take Tunnage and Poundage without an Act of Parliament, ſhould incur the Penalty of a *Premunire*; and in the ſame Parliament, That the ſame Impoſition ſhould be laid upon our Subjects, and taken by an Order of both Houſes, without and againſt our conſent? That in the ſame Parliament, a Law ſhould be made to declare the Proceedings and Judgment upon *Ship-Money* to be illegal and void; and during that Parliament, That an Order of both Houſes ſhall (upon pretence of Neneceſſity) enable four Men to take away the Twentieth part of their Eſtates from all their Neighbours, according to their Diſcretion? But our good Subjects will no longer look upon theſe and the like Reſults, as upon the Counſels and Concluſions of both our Houſes of Parliament, (though all the World knows, even that Authority can never juſtifie things unwarrantable by the Law) they well know how few of the Perſons truſted by them, are preſent at their Conſultations, of above 500 not 80. and of the Houſe of Peers, not a Fifth part; That they who are preſent, enjoy not the priviledge and freedom of Parliament, but are beſieged by an Army, and awed by the ſame Tumults which drove us and their Fellow-Members from thence, to conſent to what ſome few ſeditious, ſchiſmatical Perſons amongſt them do propoſe: Theſe are the Men who joyning with the *Anabaptiſts* and *Browniſts* of *London*, firſt changed the Government and *Diſcipline* of that City, and now by the Pride and Power of that *City*, would undo the *Kingdom*, whilſt their Lord Mayor (a Perſon Accuſed and known to be Guilty of High Treaſon)

ſou) by a new Legiſlative Power of his own, ſuppreſſes and reviles the *Book of Common-Prayer*, robs and impriſons whom he thinks fit, and with the Rabble of his Faction, gives Laws to both Houſes of Parliament, and tells them, They will have no Accomodation: whilſt the Members ſent and intruſted by their Countries, are expelled the Houſe, or committed, for refuſing to take the Oath of Aſſociation to live and dye with the Earl of *Eſſex*, as very lately Sir *Sidney Mountague*. Theſe are the Men who have preſumed to ſend Ambaſſadours, and to enter into Treaties with Foreign States in their own behalfs, having at this time an Agent of their own with the States of *Holland*, to Negotiate for them upon private Inſtructions. Theſe are the Men, who not thinking they have yet brought Miſchief enough upon this Kingdom, at this time invite and ſolicite our Subjects of *Scotland* to enter this Land with an Army againſt us. In a word, Theſe are the Men who have made this laſt devouring Ordinance to take away all Law, Liberty and Property from our People, and have by it really acted that upon our People, which with infinite Malice, and no colour or ground was laboured to be infuſed into them to have been our Intention by the Commiſſions of Array. 18 *Caroli.*

We have done: What Power and Authority theſe Men have, or will have, we know not; for our ſelf we challenge no ſuch; we look upon the Preſſures and Inconveniencies our good Subjects bear, even by us and our Army (which the Army firſt raiſed by them, enforced us to leavy in our Defence, and their refuſal of all Offers and Deſires of Treaty enforceth us to keep) with very much ſadneſs of heart; we are ſo far from requiring a Twentieth part of their Eſtates (though for their own viſible preſervation) that as we have already ſold or pawned our own Jewels, and coined our own Plate, ſo we are willing to ſell all our own Land and Houſes for their Relief; yet we do not doubt, but our good Subjects will ſeriouſly conſider our Condition and their own Duties, and think our readineſs to protect them with the utmoſt hazard of their Life, deſerves their readineſs to aſſiſt us with ſome part of their Fortunes; and whilſt other Men give a Twentieth part of their Eſtates to enable them to forfeit the other Nineteen, that they will extend themſelves to us in a liberal and free Proportion for the preſervation of the reſt, and for the maintenance of God's true Religion, the Laws of the Land, the Liberty of the Subject, and the Safety and very Being of Parliaments and this Kingdom; for if all theſe ever were, or can be in manifeſt danger, 'tis now in this preſent Rebellion againſt us.

Laſtly, We will and require all our loving Subjects, of what Degree or Quality ſoever, as they will Anſwer it to God, to Us, and to Poſterity, by their Oaths of Allegiance, as they would not be lookt upon now, and remembred hereafter, as Betrayers of the Laws and Liberties they were born to, That they in no degree ſubmit to this wild pretended Ordinance, and that they preſume not to give any Encouragement or Aſſiſtance to the Army now in Rebellion againſt us, which if notwithſtanding they ſhall do, they muſt expect from us the ſevereſt Puniſhment the Law can inflict, and a perpetual Infamy with all good Men.

Decemb. 1. 1642.

The Earl of *Newcaſtle* being upon his March from *Newcaſtle* upon *Tyne* towards *York*, with a conſiderable Army, when he was advanced as far as *Piercebrig*, (being a Paſs over the River *Tees*, which parts *Yorkſhire* and the County Palatine of *Durham*) a Party of the Lord *Fair-*

An. 1642.

A Diſpute between the Earl of *Newcaſtle* and part of *Fairfax*'s Forces at *Pierce-brig*.

Fairfax's Horſe, commanded at that time by Captain *Hotham*, diſputed the Paſs with the ſaid Earl ſeveral Hours, having but two ſmall Pieces of Ordnance with them. But the Earl of *Newcaſtle* did over-power the Lord *Fairfax*'s Forces with *great Cannon*; whereupon Capt. *Hotham*, and thoſe Forces with him, retreated towards the Lord *Fairfax*'s Head-Quarters at *Tadcaſter*. In the ſaid Diſpute Col. *Thomas Howard*, with ſeveral other Gentlemen, under the Command of the Earl of *Newcaſtle*, were ſlain. So the Earl of *Newcaſtle* marcht towards *York*, and had his Commiſſion enlarged to command in chief in *Yorkſhire*, and other Southern Counties, as well as in the reſt of the Northern Counties. And the Lord *Clifford* Earl of *Cumberland*, who commanded in chief before the Earl of *Newcaſtle* came, gave way to his Entring into the City of *York*; where he was well received by the Gentry of that County; and Sir *Thomas Glemham*, then Governour of *York*, preſented him with the Keys of that City.

But before the ſaid Earl of *Newcaſtle* began this March, he publiſht the following Declaration in print.

A Declaration made by the Earl of Newcaſtle, *Governour of the Town and County of* Newcaſtle, *and General of all his Majeſty's Forces raiſed in the Northern Parts of this Kingdom, for the Defence of the ſame, for his Reſolution of marching into* Yorkſhire. *As alſo, a juſt Vindication of himſelf from that unjuſt Aſperſion laid upon him, for entertaining ſome Popiſh Recuſants in his Forces. Printed at* York *by ſpecial Command*, 1642.

I Have now by his Majeſty's ſpecial Command and Commiſſion, for ſome Months laſt paſt, reſided in the Town of *Newcaſtle*. All which time I have proceeded in purſuance of the Points of my Commiſſion (which were none elſe but the preſervation of this Town, the County of *Northumberland*, and the Biſhoprick of *Durham*, and the Liberty of the True Proteſtant Religion, of the Laws of this Kingdom eſtabliſhed by Parliaments, the Property of the Subjects, Perſons, and Goods, and ſecuring of this Port) with that integrity and tenderneſs of his Majeſty's Honour, who doth paſſionately affect the Safety and Liberty of the Subjects, in all the particulars above-mentioned; That I have great and juſt occaſion to bleſs Almighty God for ſo proſpering this his own, and our Soveraign his Servants work, in my weak Hands: As I am confident I have not yet miſcarried in any one particular, wherein by God and his Majeſty I have been intruſted. For whereas, in moſt of the Counties of this Kingdom, there are nothing to be heard but moſt pitiful, and yet moſt unpitied complaints of the Subjects, for the horrible violation of their Churches, and indignities offered to the Service of God, unjuſt captivating of their Perſons, exhauſting of their Purſes by moſt racking Exactions, plundering and pillaging of their Houſes and Goods, againſt the Law of God, the known Laws of the Land; and all this exerciſed by a Party who pretend nothing but the Religion of God, the Law of the Land, and the Liberty of the Subject. Yet (bleſſed be God for it) all they who live in theſe Parts under my charge, can with one accord teſtifie, that as yet they have not taſted in the leaſt degree any of theſe ſharp Outrages, either in their Poſſeſſions, Perſons or Goods, from that Party in whom they had little

little reaſon to put any truſt, if by my Forces they had not been kept under: Nor yet can any of that lawleſs Party aver, that by any Forces of mine, or indeed any Force at all, they have ſuffered under ſuch wicked vexations, as they of their own ſide in all places, where they have had power, have uſed towards thoſe who have continued in Loyalty and Obedience to his Majeſty. And farther, That his Majeſty's Port and Haven hath, to his great benefit, and the comfort of all his good Subjects, who adhere to him, been ſo ſecured, as that now it remaineth as entirely at his Majeſty's Devotion, as ever it did in times of higheſt Peace and Tranquility.

But it hath not pleaſed God, That our Neighbours in *Yorkſhire*, and the adjacent Counties ſhould enjoy the like calm, which hath moved many of the prime Noblemen and Gentlemen of the County of *York*, to remonſtrate unto me their Sufferings which they endure from Sir *John Hotham*, his Son, and many their ſeditious and outragious Complices, and to deſire my aid for the redreſſing of them, and repreſſing their tumultuous Oppreſſions, before they ſwell to that height, as it cannot ſtand with the ſafety of the Perſons and Eſtates of his Majeſties good Subjects in *Yorkſhire*, to make any expreſſions of their Loyalty and Allegiance to his Majeſty, unleſs by ſome of my Forces they be ſpeedily comforted and relieved.

I having ſeriouſly weighed the purport of my Commiſſion, and finding it not only conſiſtent with, and agreeable to the ſame; but knowing well his Majeſties ſacred Intention and conſtant Reſolution to ſecure the Laws and Liberties of his Subjects by all means which he can compaſs: I have now reſolved to aſſiſt his Majeſty's diſtreſſed Subjects in the County of *York* with competent Forces, and yet to leave this Town, and the two other Counties under my charge, ſo ſtrongly guarded, that their former Security ſhall be no ways diſcontinued or interrupted.

And therefore I do by theſe Preſents, deſire all his Majeſty's Loyal Subjects of the County of *York*, to take theſe particulars into their ſerious conſideration, and I expect credit to be given to them.

Firſt, That I come not into their County by Intruſion, but by Invitation, and that from thoſe Noblemen and Gentlemen, whom by long experience they have known to be their ſoundeſt and ſincereſt Patriots, and who have promiſed me in their names a cheerful reception, their utmoſt aſſiſtance and abſolute obedience to all my juſt and lawful Commandments.

Secondly, I do ſolemnly promiſe, That I come free from the leaſt intention of pillaging and plundering any of his Majeſty's good and loyal Subjects, or of exacting any thing from them which ſhall be againſt the Priviledge of the Parliament, the known Laws of the Land, the Liberty of the Subject.

And thirdly, That I intend by my Forces to vindicate you from the violent incroachment and oppreſſions made upon you in any of theſe particulars, by thoſe who to their lawleſs ends abuſe the ſacred Name of Parliament.

And fourthly, That I ſhall (during the time of my abode amongſt you) do nothing of moment, but by the advice and conſultation with thoſe Noblemen and Gentlemen, who have been Solicitors to me in your behalf; and when it ſhall pleaſe God to give a happy conſummation to thoſe great buſineſſes for which I intend to come among you, I ſhall retire my ſelf and Forces out of your County with much more cheerfulneſs then I conducted them thither.

And now I deſire to give ſatisfaction, both to you of *Yorkſhire*, and all other true Proteſtants of this Kingdom, why I have been neceſſitated to take under my command and conduct divers Popiſh Recuſants in theſe Northern Parts. First,

An. 1642.

First, It was not his Majeſty's intention, nor the intention (for any thing I know) of any in Authority under him, to admit any of them into this Service, if the way had not been chaulked out unto his Majeſty and his Miniſters by theſe very Men, on whoſe Forge this Objection was hammered: Let the Muſter Rolls of that Army, which is named from the Parliament, be peruſed, and then it ſhall appear plainly, that the mannagers of that Army do exactly and diſtinctly know, that they now have, and for many Months have had great Numbers under their pay, both *Engliſh*, *French*, and other Nations, whom at the time of their enrollment (and ever ſince) they did know to have been profeſſed Papiſts: whereas by the contrary, it is notoriouſly known, that before this courſe was taken by the other Party, his Majeſty and his Miniſters did not admit to, nor continue any Soldiers in pay, who were ſuſpected to be that way inclined, or did refuſe the Oaths of Allegiance and Supremacy; not that his Majeſty thought it unlawful for him ſo to do, or that he did not hold his Recuſant Subjects to be as ſtrongly obliged by the Laws of this Land for the defence of his Perſon, and the Liberty of Parliaments, and Laws of this Kingdom, as any of his Proteſtant Subjects; for if the Kingdom ſtood now under the fear of a Forreign Invaſion, is it to be conceived, that the Recuſants of this Land were not by the Laws of the ſame obliged to adventure their Lives and Fortunes in defence thereof? Sure the great Confuſion which is now in this Kingdom, is of as fearful a conſequence as any Forreign Invaſion poſſible can be; and therefore the Recuſants are ſo far from being diſobliged, as they ſtand deeply obliged for giving their aſſiſtance in this time of Extremity, if they ſhall be required: But his Majeſty was very cautelous and tender in this point, and certainly would not have looked towards it, if the other Party had not firſt aſſumed that liberty to themſelves, from which by the Law of the Land he ſaw himſelf no way barred.

If there be no bar in Law againſt it, then let us examine theſe pretended grand Inconveniencies, wherewith (as they alledge) it is attended. Sure the wiſeſt Heathen Emperours that ever were, did admit into their Armies whole Legions of Chriſtian Soldiers, whoſe fidelity they relied much upon, though the Emperours themſelves blaſphemed that God whom thoſe Chriſtian Soldiers adored. Look upon Chriſtian Popiſh Emperours; did *Charles* the fifth, that wiſe and warlike Emperour, refuſe the Service of any of the Proteſtants of *Germany*, in that Army wherewith he made War upon the Proteſtants? No, but cheriſhed all ſuch of them as he did conceive to ſtand for the Majeſty and Liberty of the Empire. Look upon Proteſtant Kings and Princes; did *Henry* the fourth the late *French* King, while he was yet a Proteſtant, reject the aſſiſtance of thoſe many *French* Papiſts, who ſpent their Lives in aſſerting his Crown, and approving their Allegiance to him. Or did bleſſed Queen *Elizabeth* of moſt precious memory, upon whoſe aid and advice that great King did principally rely, go about to perſwade him to diſmiſs all his Popiſh Subjects out of his Army? and yet it was well known, that ſhe was the greateſt Patron and Prop of the Proteſtant Religion in the whole World. Do our Neighbours of the *United Provinces* reject the Auxiliary Regiments under the pay of the *French* King, becauſe many of them (if not moſt) are Papiſts, ſo long as they are ſecured of their fidelity to them? The Point then will not be of their Religion, but whether they may be truſted in point of Fidelity and Allegiance.

But they do alledge in that point, *They are not to be truſted, ſince they refuſe to take the Oaths of Allegiance and Supremacy.* It were to be wiſhed that thoſe bleſſed times had been perpetuated to us, in which it had continued

18 *Caroli.*

tinued a good diſtinction, though not between all Papiſts, yet between Jeſuited Papiſts and Proteſtants, the taking or refuſing of thoſe two Oaths; but we have lived to ſee, that theſe two Oaths (to the intolerable ſcandal of the Proteſtant Religion) are indeed taken by ſome who call themſelves Proteſtants, but moſt manifeſtly violated, and refuſed to be taken by ſome Papiſts, and yet the tenour of them kept by thoſe Refuſers.

Our Saviour's Queſtion in the Goſpel was, *Whether of the two was the better Servant, He who ſaid he would do what his Maſter bid him, but did it not? or he who ſaid he would not do it, but yet did it? This latter, by our Saviour's approbation, was the better Servant.* It is eaſie to be applied: Hath not his Majeſty, and all the World, reaſon to think that thoſe Recuſants, who upon weak, yet ſeeming ſtrong grounds unto them, refuſed to take the Oath of Allegiance, and yet at this time perform the contents of it; are far better Subjects, (and in this point) far better Chriſtians, then all thoſe Proteſtants who have taken this Oath, and yet at this time practiſe quite contrary to that which is contained in it, and not only to what is contained in it, but to what is contained in the laſt Proteſtation, which they themſelves ſo magnified, and in it did ſo expreſly aver the defence of the King's Perſon and Dignity; ſo that the tumultuous Petitioners, who came riding to the Parliament through the Streets of *London*, with that Proteſtation in their Hats, ſeemed to honeſt and good Subjects, like Men ſtanding upon ſeveral Pillories with Papers in their Hats, carrying in them their Crime and Condemnation for it.

And beſides, it is well known, That there are other Recuſants in *England* beſides the Popiſh, *viz.* They who will not communicate in our Service and Sacraments, as they are eſtabliſhed by the Laws of this Kingdom; and yet ſome of theſe are admitted to ſit in either Houſes of Parliament, though contrary to the Order of Parliament, they have not received the Communion. And how many hundreds be in the Adverſe Army, of *Anabaptiſts*, *Browniſts*, and other Sectaries, who by the Laws of this Land are reputed far more dangerous Recuſants, and do incur by the ſame Law, far heavier Puniſhments then ordinary Papiſts do; for they being convicted, are to abjure the Land and Kingdom; whereas Papiſts incur only perſonal or pecuniary Mulcts, if they be not Prieſts or Jeſuites, or harbourers of them. If one would truly learn the damnable Doctrines of theſe Recuſant Separatiſts, and foreſee how upon their own Grounds and Tenents, when they ſhall have power to put them in practiſe, they will attempt the cutting of Throats of all Landlords and Magiſtrates, and will maintain, That it is againſt the Law of God for any Man to hold an Eſtate by Law or Birthright, but only according to Merit and Worth. Let him read the Commentaries of *John Sleidan* a grave and wiſe Hiſtorian, who in the life of *Charles* the fifth, hath excellently ſet down their lamentable Tenets and Tragedies, broached and acted by them about the beginning of the *Lutheran* Reformation.

To conclude, I wiſh from my heart there were Recuſants of no kind in this Kingdom; I am Reſolved, as I have lived, ſo to dye in the profeſſion of the true Reformed Religion, as it now ſtandeth eſtabliſhed by the Laws of the Land, and as it was profeſſed, and practiſed in the pureſt times of peerleſs Queen *Elizabeth*, and for theſe few Recuſants under my command, I ſhall uſe all poſſible care, that they do nothing againſt the Laws of this Kingdom, for I have received them not for their Religion, but for the Allegiance which they profeſs.

An. 1642.

Farnham-Caſtle taken by *Waller*, *Dec.* 1. 1642.

Mr. *Denham*, High-Sheriff of the County of *Surrey*, and the Commiſſioners of Array for that County, ſuddenly poſſeſſed themſelves of *Farnham-Caſtle*, in which they put 100 Soldiers; of which Action, Sir *William Waller* having ſpeedy notice, came before it with Horſe and Dragoons, and Summon'd it; but having no Ordnance, they in the Caſtle contemned the *Summons*, whereupon Sir *William* preſently approached with his Horſe and Dragoons, and faſtned a *Petard* to the Gate of the Caſtle, which broke the Gate in pieces; yet they could not preſently enter, by reaſon they within had placed againſt the Gate great Piles of Wood, which being removed by *Waller*'s Soldiers, they preſently entred further into the Caſtle, whereupon they within yielded upon *Quarter*. And *Waller* brought away the High-Sheriff, ſome Gentlemen, and the Soldiers Priſoners to *London*. They took in the Caſtle 300 Sheep, 100 Oxen, beſides ſome warlike Proviſions of Powder and Shot.

The taking of *Marlborough*, *Dec.* 5. 1642.

The Lord *Digby* on the 25th of *Novemb.* came before the Town of *Marlborough* in *Wiltſhire* with about 400 Horſe, and ſent a Meſſage, demanding Admiſſion into the Town; which being denied, he for that time Retreated. Hereupon the Townſmen began to fortifie the Town in the beſt manner they could, and ſent to the Earl of *Eſſex* for ſome experienced Commanders (having none of their own) who ſent them two Scotch men (a Serjeant-Major and a Captain) who diligently directed and advanced the Fortifications. On *Decemb.* 3. being *Saturday*, the King's Forces again appeared, hovering with their Horſe on the neighbouring Hills; whereupon (it being Market-day) Mr. *Franklin* (a Member of Parliament) and two Scotch Commanders, thought it fit to keep in the Country-men and their Horſes, that were come to Market, for the Defence of the Town.

On *Munday Dec.* 5. the Lord *Grandiſon* and Col. *Gray* appeared with their Troops on the North ſide of the Town, and about 12 a Clock ſome Regiments of Foot and Dragoons came up (in all making about 6000) together with their Ordnance, and then they began the Aſſault; but the Town lying in a Valley between two Hills, their Cannon did no Execution; Col. *Blake* with his Regiment of Foot creeping behind the Hedges, and in ſome Ditches, got within Musket-ſhot, diſcharged upon the Town, and next day my Lord *Rivers*'s Regiment of Foot, and Col. *Gray*'s Dragoons, with one Culverin, and one Demi-Culverin, Attacked them in two places at once, but were all warmly anſwered and obliged to Retreat, this Aſſault being made on the North-eaſt-ſide of the Town.

At the ſame time Sir *William Pennyman*, with a Regiment of Foot and ſome Dragoons, attempted the North-weſt-ſide, and eſpecially their great Guns from thence plaid apace, but hurt neither Man, Woman or Child. And there were but 24 Men to oppoſe this whole Regiment in that place, yet they maintain'd the Fight near three hours, till at length ſome Granado's having fired an old thatcht Barn that ſtood near them, they were inforced to quit that Poſt; and the King's Forces having afterwards fired a Dwelling Houſe in another place, came reſolutely on, and broke in through a great Inn, into the midſt of the Town, ſhouting and crying out, *A Town! a Town! for King* Charles, *&c.* Then thoſe in the Town began every one to ſhift for himſelf, but were for the moſt part taken Priſoners which way ſoever they flew; For the Lord *Digby* with his Regiment of Horſe, and Capt. *Daniel Oneal* had beſet the Town with Horſemen, from Eaſt to Weſt on the South-ſide, and the Lord *Grandiſon* and the Lord *Wentworth* with their Troops, from Weſt to Eaſt on the North-ſide, and their Scouts ſo kept the Weſt and Eaſt Paſſages, that none could eſcape without great hazard and difficulty. Having thus won the Town, they

they ſet fire to it in two other places, ſo that there were four fires blazing at once, and the Soldiers fell to pillaging the Houſes and Shops, all the wearing Apparel, Plate and Money they took away, and all the Horſes and Carts that were in the Town, which were the more, becauſe thoſe of the Country that came to the Market had been kept in. On the *Tueſday* they carried away the Priſoners, being in number between 100 and 120, marching on foot, tied two and two together, before the Cannon, to *Oxford*; amongſt whom the ſaid Mr. *Franklin* and the two Scotch Commanders were the chief. There were 53 Houſes burnt; and the Damage ſuſtained by the Town (beſides the value of thoſe Houſes) in Goods, Money and Ware, was computed to amount to near 50000 *l.* The chief Commanders on the King's ſide in this Action, were Commiſſary *Wilmot*, the Lord *Grandiſon*, the Lord *George Digby*, the Lord *Wentworth*, Sir *William Pennyman*, Col. *Gray*, Col. *Blake*, Col. *Waſhington*, &c. On the Town ſide, the two Scotch-men commanded, and they had but 140 Men that fought, of whom there was not one kill'd, nor any in the whole Town, except two Country-men that were ſlain as they were running out of the Town, after it was taken. 18 *Caroli.*

On *Decemb.* 6. divers of the Priſoners at *Oxford* were Arraigned before Judge *Heath* and others, by virtue of a Commiſſion of *Oyer* and *Terminer*; and amongſt the reſt Capt. *John Lilburn*, taken at *Brainford*, was brought to the Bar, and Indicted by the Name of *John Lilburn*, *Yeoman*, for High Treaſon, in actual leavying War againſt the King; who anſwered, That he would not plead to that Indictment, as it was drawn, for he would not admit any thing on Record ſo much to the prejudice of his Family, (who were Gentlemen, and had continued ever ſince *William* the Conquerour in the Biſhoprick of *Durham*) as to anſwer to the Name of *Yeoman*, ſince he was deſcended of the chief Houſe (now in being) of that Family. Whereupon Judge *Heath* ordered the Record to be amended; which being certified, *Lilburn* owned that he was at *Brainford*, and ordered his Men to defend that place againſt oppoſition, by the commands of the Parliament; and alledged he did nothing but in his own Defence, and that he never did, nor would bear Arms againſt his King, &c. Yet he was afterwards found Guilty; but upon the Parliaments Declaration herein-after recited, threatning *Lex Talionis*, Reprieved, and ſo in time Exchanged, and got his Liberty.

Lilburn Indicted at *Oxford*, refuſes to plead to the Addition of *Yeoman*.

By the KING.

A Proclamation for the free and ſafe paſſage of all Clothes, Goods, Wares, and Merchandizes to our City of *London*.

WHereas we have been informed, that divers of our loving Subjects, who have been travelling from our Weſtern Counties, and other parts of our Kingdom, to our City of London *with Clothes, Goods, and other Merchandize, have been of late ſtopped and interrupted in their Journeys, and other Clothes, Wares, and Merchandize have been taken or detained from them, whereby the ſeaſon and benefit of their Markets have been loſt to them; and conſidering, that if the ſame Licence and Courſe ſhall be ſtill taken and held, that the damage and miſchief thereof will not only fall upon Places and Perſons diſaffected to us, but upon very many of our good and loving Subjects of all parts, and that thereby the general Trade and Commerce of the Kingdom (which we have always, and do deſire to advance to*

The King's Proclamation, Dec. 8. 1642.

An. 1642.

the utmoſt of our Power) will in a ſhort time decay, and the poor people, wanting work, be brought to penury and famine. We are graciouſly pleaſed to declare, and do hereby will and require all the Officers and Soldiers of our Army, and all other our Officers and Miniſters whatſoever, that from henceforth they give no ſtop or interruption to any of our Loving Subjects, as they travel to our City of London *with any Clothes, Wares, or other Merchandize, but that they ſuffer them, and ſuch their Clothes, Wares, and Merchandize freely and peaceably to paſs without any let, trouble, or moleſtation whatſoever. And we do hereby promiſe and aſſure all our loving Subjects, that if they ſhall henceforth ſuffer by any Soldiers of our Army in this caſe, and ſhall not, upon Complaint to the chief Officers of our Army where ſuch damage is ſuffered, receive Juſtice and Reparation for the damage they ſuſtain, upon Complaint made to us, we will take ſpeedy care for the ſevere and exemplary puniſhment of the Offenders, and for the ſatisfaction of the Parties grieved and injured.*

Given at our Court at *Oxford*, the Eighth day of *December*, in the Eighteenth Year of our Reign.

God Save the KING.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the ſpeedy ſetting forth Ships to prevent the bringing over Soldiers, &c. to aſſiſt the King, Dec. 10. 1642.

WHereas the Lords and Commons now aſſembled in Parliament, do find by continual Experience, That very great quantities of Ordnance, Arms, and other warlike Ammunition, and many Commanders and Soldiers have been brought into *Newcaſtle*, and other parts of this Kingdom from Forreign parts, and eſpecially from the *Low-Countries* (notwithſtanding the Prohibition given by the States of the *United Provinces* to that effect) to be employed againſt the Parliament, and their Adherents, the well affected perſons of this Realm.

And whereas divers of his Majeſty's well-affected Subjects, out of their loyal reſpect to his Majeſty, their pious diſpoſition to the Peace and Happineſs of this Kingdom, and as much as in them lieth, to prevent and hinder all ſuch Supplies as ſhall be ſent from any Forreign parts, to the prejudice of this Nation, have lately made known to the ſaid Lords and Commons their voluntary diſpoſition and readineſs to ſet forth ſome Ships and Pinaces, warlikely appointed, equipped, manned, and victualled, at their own proper coſts and charges, ſo that in recompence of their charge and adventure therein, they may have and enjoy to their own uſes all ſuch Ships, Munition, Goods, Moneys, and Merchandizes which they ſhall take or ſurprize by Sea or by Land, intended or deſigned againſt the Parliament and their Adherents, the well-affected perſons of this Kingdom, as aforeſaid, or that have carried, or they ſhall take carrying, any the ſaid Supplies to the intents aforeſaid, which being well approved by the Lords and Commons in Parliament, as a good and acceptable Service, they do commend the ſame for a pious and laudable undertaking, and are willing to give it all the incouragement and advancement that may be, to bring it to a good and ſucceſsful iſſue, as tending very much to the honour of the King, and the welfare of this Nation: And therefore for the better enabling the performance of this ſo free and commendable undertaking

taking and enterprize, It is ordered, eſtabliſhed and ordained by the Lords and Commons aſſembled in this Parliament, and by the Authority of the ſame, That it ſhall and may be lawful for any of his Majeſty's good and loyal Subjects of this Kingdom of *England* (to be approved, and thereto appointed by the Commiſſioners of the Admiralty eſtabliſhed by the Parliament) in warlike manner to equip and furniſh for the ſaid intended imployment ſuch and ſo many Ships and other Veſſels as they ſhall think fitting, and to place in them competent numbers of Soldiers, Mariners and Gunners, with neceſſary Arms and Proviſions for that Service, and to appoint over them ſuch Commanders, Captains, and Officers as they ſhall think fit; and the ſame Ships and Veſſels ſo manned, equipped, armed and provided to ſet forth to Sea, and with the ſame to ſeize, ſurprize and take all and all manner of Ships and Veſſels with the Ordnance, Ammunition, Goods, Commanders, and Soldiers therein, that they ſhall find or underſtand are ſent, or are come to any parts of this Kingdom, to the prejudice thereof, as aforeſaid; and further to ſurprize and take all, and all manner of Pirats and Sea-rovers of what Nation ſoever, and their Ships and Goods whatſoever: And for the better incouragement of all ſuch Adventurers in the ſaid enterprize, it is by the Lords and Commons likewiſe ordered and ordained, That the ſaid Adventurers ſhall have and enjoy as their proper Goods, all Ships, Goods, Moneys, Plate, Arms, Ammunition, Victuals, Pillage and Spoil which ſhall be ſeized or taken by any perſons, by them to be employed by force and virtue of this Ordnance, which by definitive Sentence to be given in his Majeſty's high Court of his Admiralty, ſhall be pronounced at the time of the taking or ſeizing thereof, to have been ſent, deſigned, or intended to come into this Kingdom againſt the Parliament, and all well-affected perſons their Adherents in this Nation, or to have belonged to any Pirats or Sea-rovers whatſoever; and the ſame to have and enjoy to their own uſe, without any account whatſoever thereof to be made; only reſerving the Tenths accuſtomed in ſuch caſes to be paid to the Admiral. And it is further ordered and ordained, That there ſhall be true and faithful Inventories taken of the Ships, Ammunition, Moneys, Goods, Plate, Pillage and Spoil which ſhall be taken by virtue and authority of this preſent Ordnance, and a true Appraiſement made of the ſame, and the ſame, together with all Papers and Writings found in any Ship or other Veſſel by them to be taken, ſhall be carefully preſerved, and two or three of the Officers of every Ship or other Veſſel ſo taken, ſhall be examined before the chief Officer of the next ſafe Port of *England*, and the ſaid Examinations with the ſaid Papers, Inventories, and Appraiſements ſhall be ſent into the Regiſtry of the high Court of Admiralty aforeſaid, to the end that the taking of the ſaid Ships may thereby be juſtified, or reſtitution by the ſaid Adventurers (if there ſhall be juſt cauſe) there made. And more particularly it is hereby ordered and ordained by the Lords and Commons aforeſaid, and they do by virtue of this Ordinance give unto the perſons to be ſet forth to the Seas, as aforeſaid, and to every of them power, authority and warrant, That if they ſhall happen upon the Seas or in any Port, Harbour or Creek, to meet with any Ship or Ships that ſhall not willingly yield themſelves to be viſited, and proved by Law and Juſtice, but will defend themſelves by Force and Violence, then they ſhall by all means poſſible, and with all force compel them to yield, and ſubmit themſelves to Reaſon and Juſtice, although it do fall out that by fighting with them one or more of them be maimed, hurt, or ſlain in the reſiſtance. *c 8 Caroli.*

And it is further ordered and ordained, That the Owners, Captain, Maſter and two or three of the principal Officers of every of the Ships and Pinaces,

An. 1642.

Pinaces, ſo to be ſet forth upon the ſaid Enterprize, ſhall before their going to Sea enter into a Bond in the High Court of the Admiralty, in the ſum of Two thouſand pounds to the uſe of the King's Majeſty, that the ſaid Ships or Pinaces reſpectively, nor their Captains, Maſters, nor any of their Company, under colour or pretence of this Ordinance, ſhall rob, ſpoil, or indamage any of the King's Subjects, Friends or Allies, other then ſuch particular perſons of his Majeſty's Subjects, Friends, or Allies, as ſhall be found to have carried, or ſhall be found carrying Ordnance, Arms, Ammunition, *&c.* to the prejudice of the Parliament, *&c.* as aforeſaid, or ſhall have committed Piracy. And that true Inventories and Appraiſements ſhall be taken of the Ships and Goods, before the ſame ſhall be vended or diſpoſed, and the ſame, together with the Papers found aboard any ſuch Ship, and the Examinations of the chief Officers of the ſame Ships, as is before declared, returned into the Regiſtry of the High Court of the Admiralty aforeſaid.

And laſtly, it is hereby further ordered and ordained, That this Ordinance, nor any benefit thereby, ſhall extend to the ſetters forth of any Ship or other Veſſel upon the Enterprize aforeſaid, where Bonds ſhall not be given, as is before expreſſed, and a Certificate under the Admiralty Seal obtained of the putting in of ſuch Caution.

Die Jovis, Decemb. 15. 1642.

A Declaration of the Commons aſſembled in Parliament, concerning falſe Rumors and Reports, raiſed amongſt the Inhabitants of *Weſtmoreland*, *Cumberland*, Biſhoprick of *Durham*, *Newcaſtle*, and *Northumberland*, perſwading them that the Parliament intended to take away the Tenants Rights of thoſe Counties.

WHereas it is informed, that ſome perſons evil-affected to the peace of the Kingdom, have, to the intent to withdraw the Affections of a great number of the Inhabitants of the Counties of *Weſtmoreland*, *Cumberland*, Biſhoprick of *Durham*, *Newcaſtle*, and *Northumberland* from the Parliament, and to draw them to joyn with the Army of Papiſts now under the command of the Earl of *Newcaſtle*, raiſed falſe Rumours and Reports that the Parliament intended to deſtroy and take away the Tenant Right of thoſe Counties, whereupon the Eſtates and Livelyhoods of many thouſands of Men depend. The Commons aſſembled in Parliament do now declare, That they neither have, nor ever had any aim or intention to deſtroy, weaken, or infringe any of the ſaid Tenant Rights, or to prejudice the Tenants in their Cuſtoms or Tenures in the leaſt particular; And they do authorize and require all the ſaid Cuſtomary Tenants and others who are to pay any Fines or Rent to any perſon or perſons whatſoever who have executed the illegal Commiſſion of Array, or are or have been in actual Rebellion againſt the Parliament, or contributed thereunto, to detain in their hands all ſuch Fines and Rents, and to employ the ſame for the Service and Defence of the ſaid Counties and Kingdom, and in ſo doing they ſhall be protected therein by the ſaid Commons, and diſcharged againſt their Land-Lords.

Die Martis, Decemb. 13. 1642.

IT is this day ordered by the Commons Houſe of Parliament, That the Collectors for Purveyance in the ſeveral Counties of this Kingdom ſhall pay Compoſitions for Purveyance for the Kings Houſhold, but by the direction of the Committee of the King's Revenue: And the Knights and Burgeſſes are to ſend this Oder into their ſeveral Counties.

H. Elſynge Cler. Parl. Dom. Com.

By

18 *Caroli.*

By the KING.

A Proclamation prohibiting the Payment and Receipt of Customs and other Maritine Duties, upon the late pretended Ordinance of both Houses of Parliament, *Dec.* 16. 1642.

WE have made so many Declarations of our Royal Intentions concerning the preserving of the Religion and Laws of this Land, that we think it not fit oft to repeat, though by God's Grace we seriously intend never to decline or depart from the same. But this seems most strange unto us, that whilst (especially at and about London) *our just and legal Commands are not obeyed, other Orders and Ordinances, (for which there is no legal foundation) which not only discountenance, but overthrow the Laws of the Land that settle Religion, and were the Fences of the Subjects property, are submitted unto and obeyed by many of our weaker Subjects: And amongst these a blind obedience hath been yielded unto the pretended Ordnance for settling Customs without an Act of Parliament, when an Act this Parliament (received from us, and so understood by us, as one of the greatest Graces the Crown ever conferred on the Subject) declares, no Custom is due without an Act; and all such persons as receive the same incur the forfeiture of a Premunire. This we thought would not have found obedience from the Merchant, who understood what his own benefit was thereby, and could not be ignorant how penal it was in him to break this Law, especially when he found he paid his Custom for support of an unnatural War against his Prince, and to foment an Intestine and Civil Dissention, which hath already, and may in the future produce so many Evils upon this poor People. But upon the menaces and usage some received that denied it, we find since a more general Obedience in such as Trade, then we expected, though we understand by it the Trade of the Kingdom is much lessened. Nevertheless we thought not fit, until this present, by any of our Proclamations to prohibit the same, because we hoped before this time, we having so often, and by so many means, endeavoured the same, some happy understanding might have been between us and both our Houses of Parliament. But at present, finding that the Moneys arising from these Duties, are a great part of the fewel that maintins this fire, and supports this unnatural Rebellion against us, and heightens the Spirits of such as have no Spirit to Peace, unless they may destroy us, our Posterity, and the settled Government both of Church and State; we do hereby declare to all our People of what sort soever, That whosoever henceforward shall, by virtue of the said pretended Ordinance of Parliament, pay any Moneys for Custom or other Duties therein mentioned, other then to our proper Ministers, what is due to us by the known Laws of the Kingdom, That we will proceed against him or them, in due time, as an ill-affected person or persons to the Peace of this Kingdom, and as such as endeavour (as much as in them lyes) to hinder a true Intelligence betwixt us and our People. And for such person or persons as shall continue to require or receive the same contrary to the Statute made this Parliament, we shall likewise proceed against them according to the Penalty in the said Act. And because (though the Law ought to have been every man's prohibition) we did not, until this time, forbid the same, we do hereby grant our free pardon to all such as formerly having either paid, or received these Customs shall henceforth refuse the same, and to no other.*

Given under our Sign Manual at our Court at *Oxford*, the 16th Day of *December*, in the Eighteenth Year of our Reign.

God save the KING.

The

An. 1642.

The Lords and Commons Answer to the said Proclamation, Decemb. 31. 1642.

WHereas the Lords and Commons assembled in Parliament, have made an Ordinance concerning the Subsidy of Tunnage and Poundage, and having since taken notice of a printed Paper in a form of a Proclamation, entituled thus, *A Proclamation prohibiting the payment and receipt of Customs, and other Maritime Duties, upon the late pretended Ordinance of both Houses of Parliament*; whereby is endeavoured by many untrue suggestions and subtil insinuations to disswade and prohibit the Subjects from giving Obedience to the said Ordinance, which if it should take effect (as we are confident it will not) would tend to the destruction of Trade, and the exposing his Majesties Dominions to the Invasion of Forreign Forces; The said Lords and Commons have thought it necessary to reprint the said Ordinance, with this their further Declaration, That there are no other Customs settled by that Ordinance then such as are due by the Laws and Statutes of this Realm, as will appear to any ingenuous person who shall read the same. And whereas the Contrivers of that Proclamation do therein suggest, that all such persons as receive any sums of Money by virtue of the said Ordinance, do incur the forfeiture of a *Premunire*.

It is hereby declared, That no person receiving any sums of Money by virtue of the said Ordinance, is within the danger of a *Premunire*, or any other Penalty whatsoever, because the intent and meaning of that Penal Clause was only to restrain the Crown from imposing any duty or payment upon the Subjects, without their consent in Parliament; and was not intended to extend to any Case whereunto the Lords and Commons gave their assent in Parliament. Besides, the greatest sums of Money to be advanced by that Ordinance, are appointed by the said Ordinance to be raised by way of Loan, and therefore without the least colour of Objection to be comprehended within the danger of that Penalty.

And whereas it is insinuated, that Merchants paying any sums of Money by virtue of the said Ordinance, do thereby incur the aforesaid Penalty, there needs no other Answer to it, then to refer any person of common sense to the Clause it self mentioned in that Statute, where it will most evidently appear, That the Merchant paying is so far from falling into any danger of that Penalty, or being comprehended within the intent of the Clause that enacts it, that he is not so much as named within the words or letter thereof: And whereas the Contrivers of that Proclamation do most scandalously affirm, That the Moneys raised by that Ordinance is to support an unnatural War against his Majesty, and to foment a Civil Dissention. If by fomenting an unnatural War it be intended the maintaining of the Forces consisting of Papists, and other ill-affected persons under his Majesty's name, for the subversion of the Parliament, Laws and Religion, we must then confess, That so much of those Moneys as have been taken and employed for the maintenance of those Forces (for we must acknowledge that a considerable part thereof hath been forc't and exacted by the Earl of *Newcastle*, the Lord *Mohun*, Sir *Ralph Hopton*, and others) were employed to support an unnatural War against the King, and to foment a Civil Dissention: But if otherwise applied, for full satisfaction therein, it is declared, That the Money raised by virtue of the said Ordinance, and come to the disposing of the Parliament, hath been with all care and faithfulness disbursed for the payment of sundry great and crying Debts of his Majesty's, due unto his own Officers of the Navy; and

also

alſo unto Artificers, Tradeſmen, Merchants, Owners of Ships, and Mariners, unto whom his Majeſty was indebted before the beginning of this Parliament; And likewiſe for the ſetting forth of two Fleets of Ships the laſt Summer, the one for guarding the Coaſt of *Ireland*, and preventing of Aid to come unto thoſe Rebels; the other for defence of this Kingdom, and preventing of Forreign Forces and Invaſions, not only threatned, but actually brought into the Northern Parts of this Kingdom, and for the preſervation of Merchants Ships from Pirats. 18 *Caroli.*

And as touching the ſtrange Aſſertion of the Authors of that Proclamation, that by the Merchants yielding Obedience to this Ordinance, the Trade of the Kingdom is much leſſened, though we might here juſtly take occaſion to manifeſt what have been the cauſes of the obſtruction of Trade, and ſo ſet forth the Rebellion of Sir *Ralph Hopton* in the Weſt, wholly deſtroying the moſt flouriſhing Manufacture of the new Draperies in thoſe Parts; the robbing of the common Carriers and Trawnters by his Majeſty's Forces and Cavaliers, of Woollen Cloth and other Manufactures, whereby the Commerce and Intercourſe of Trade between the Clothiers of remote Parts, and the Merchants of the City of *London* is interrupted; the Rebels of *Ireland* ſetting forth Men of War, and making prize of our Merchants Trading to and from Forreign Parts: Yet we think not fit to inſiſt upon it for the preſent, but muſt affirm for an undeniable truth, That the Money raiſed by virtue of that Ordinance, was ſo far from leſſening of Trade, as that it was the only means to maintain the Navy, and ſeveral Fleets of Ships at Sea, which (under God) have been the principal cauſe of preſerving Trade and Commerce; which otherwiſe before this time would have been by Pirats, Iriſh Rebels, and Forreign Forces wholly deſtroyed; and not only Trade, but the whole Kingdom had been inevitably expoſed to thoſe dangers, by his Majeſty's refuſing to paſs the Bill of Tonnage and Poundage, had not the Parliament wholly taken upon them the care thereof, and by God's Bleſſing prevented thoſe dangers. All which duly conſidered, the Lords and Commons do declare, That the Ordinance of Parliament heretofore printed and publiſhed with the Book of Rates, for the Payment and Receipt of Cuſtoms and Duties upon Merchandize, and with this Declaration reprinted, is juſt and neceſſary for the preſervation of Trade and Defence of the Kingdom; and do therefore expect a due Obedience thereunto, both by Merchants and Officers, wherein they ſhall be protected by the Power and Authority of Parliament. And no Bill of Tonnage and Poundage ſhall paſs, but ſpecial care ſhall be had for their Indempnity and Satisfaction, according to the former Ordinance. And the Lords and Commons do further declare, That whoſoever ſhall refuſe to yield Obedience to the ſaid Ordinance, is deſervedly to be accounted, and is by this Order declared to be a perſon ill-affected to the true Proteſtant Religion, the Honour of the King, the Priviledge of Parliament, the Peace and Safety of the Kingdom, and a Fomenter of this unnatural War by the King againſt the Parliament.

A Copy of a Letter ſent to a Member of the Houſe of Commons from *Rotterdam*, *Decemb.* 16. 1642. *Stylo Novo.*

Worthy Sir,

MY laſt unto you was of the twelfth preſent, which I ſent by Ship; and fearing leſt it may be long before it come to your hands, I thought fit to write unto you now by Poſt; and it is to adviſe you, that there come hither frequently good and luſty Ships from Newcaſtle, *which are ſent hither*

An. 1642.

frequently by the Merchants of that Town, for the Service of the Queen: And there is continual tranſportation of great ſtore of Men, Money, and Ammunition over in them. There came hither about fourteen days ſince Mr. Knolls, *and that Arch K. Capt.* Archibald, *who is very diligent and notorious in his Service for betraying of his Country, and for that hath of late had that honour conferred upon him to be made a Captain, and is about three days ſince gone from hence with his Ship laden with Men, Money, and Ammunition for* Newcaſtle. *I hear that Mr.* Knolls *brought over Letters from his Majeſty, that have been the occaſion of the Queens ſtay here, which all that be well-affected are very ſorry for, who had rather ſhe were elſewhere. Upon the receipt of which Letters from his Majeſty, I hear that the Queen the next day ſent Mr.* Jermin *to the States General, to acquaint them therewith, and that his Majeſty adviſed the Queen to ſtay here for ſome time longer; and that, becauſe his Majeſty was upon a Treaty of Accommodation, and doubted not but that in a ſhort time he would make all things well; and that therefore the Queen gave them thanks for thoſe Ships that had a long time waited upon her Service, and deſired that they might now be diſcharged, which was done accordingly; yet notwithſtanding her Majeſty's Agents labour here exceedingly in ſending away Men, Money, Horſe and Ammunition unto* Newcaſtle *for the advancing of her Majeſty's Army in thoſe parts. Upon* Thurſday *laſt I was at the* Hague, *and there ſaw her Majeſty's Standard, which was juſt then going away, to be ſent for* Newcaſtle; *and yeſterday was ſeven-night, I heard that Col.* Goring, *and Mr.* Crofts, *and Mr.* Slingsby, *and Capt.* Bret, *and Capt.* Mackworth, *and divers other Cavaliers went to* Amſterdam, *to take ſhip there to go for* England *with all ſpeed, and it is thought for* Newcaſtle; *and that Col.* Goring *is to be Lord General of the King's Horſe. I hear likewiſe that there is more going away from thence to* Newcaſtle, *four hundred Officers and old Soldiers, and four hundred Horſe, and a thouſand more to follow, which are her Majeſty's Regiment, and ſhould have been a Guard to her perſon if ſhe had gone on. The Prince of* Orange, *I hear ſuffers all his Officers to go, that will, only under this colour, that as many as go hence, ſhall be conſtrained; although he can give them greater honour as he pleaſeth, and as they expect for ſo good ſervice, if they do return.*

It is very credibly reported here, that there is now ſending away with all ſpeed to Newcaſtle, *a hundred and ſixty thouſand pound ſterling; which I am very credibly informed by ſome* Dutchmen, *is by way of Loan raiſed by the Papiſts in theſe parts (which are not few) for the Queen. And that the Prince of* Orange *is engaged for the payment of it, which are moſt horrible things. Therefore I can do no leſs in conſcience to God and his Cauſe, and in duty and love unto the Kingdom and Parliament, (hearing and ſeeing theſe things) then give you notice of it, who are a Member of that honorable Houſe, which I ſhall deſire you (if you ſhall think fit) to communicate unto the Houſe; but ſhall intreat you to do me the like favour you have done, in concealing of my name. Thus deſiring the Lord to be with you, and to bleſs and proſper your proceedings, and the whole Houſe with the tender of my Service, and beſt Reſpects unto you, I humbly take my leave, and reſt* Yours, &c.

There are two Newcaſtle *Ships here, ready to go with the firſt fair wind, laden as is before-mention'd; and alſo three great Dutch Hoys laden with Field-pieces and Carriages, and many* Holland *Waggons, which are made ſtrong and large, and covered over head, ſuch as uſually attend the Leaguer.*

Die Veneris 16 Decemb. 1642.

Ordered by the Lords and Commons aſſembled in Parliament, That this Letter ſhall be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

The

18 *Caroli.*

The Copy of a Letter sent by the Lord *Fairfax* to the Speaker of the House of Peers, *Dec.* 10. 1642.

May it please your Lordship,

UPon Saturday *last I received a Declaration of Parliament, with a Commission from his Excellency the Earl of* Essex, *to command in chief, over the Forces of the North, and other adjacent Counties, which great Honour and Trust, far above any Ambition or Merit, by your Lordships conferred on me, I shall exercise with all care and fidelity, not doubting but that your Lordships will enable me therein, with such other Supplies as the necessity of the Service shall require, and that represented from hence.*

The state of the Affairs in these Parts, since my last dispatch of the first of this Month, stand in this manner, the Earl of Newcastle *is come to* York, *and joyned his Forces to the Earl of* Cumberland's, *making in all, as I am informed, about eight thousand Men, Horse and Foot, of which there is about two thousand Horse and Dragooners, a strength far too potent to be resisted by the small power which I have here, whereof I send a List inclosed; our strength was once estimated by our selves far greater then now it appears, for upon the Earl of* Newcastle's *coming over the* Tees, *Sir* Edward Loftus, *with all the* Richmondshire *Men, and Sir* Henry Anderson *with all the* Cleveland *Men, and the rest of the North-riding, which were estimated at one thousand Men, did all return to their own Houses, save about one hundred and thirty Men brought hither by Sir* Matthew Boynton, *some other Gentlemen, and one Troop of Horse, raised by Sir* Henry Fowlis, *and about forty Horse more, brought hither by Capt.* Anderson; *And besides this defect, our Numbers are decreased by Sir* Hugh Cholmly, *to whom I have sent divers Orders to march Northward, to joyn with Capt.* Hotham *and the rest, in resisting the Earl of* Newcastle's *Entry, before he came into* Yorkshire, *and since his Entry, to come to me, and the rest of the Army at* Tadcaster, *but he found such Impediments as he could do neither. And now I hear he is gone to* Scarborough, *and taken his Forces with him, which were about seven hundred Men; and Col.* Boynton, *whose Regiment consisted of eight hundred Foot, is likwise marched towards* Hull, *although I sent him divers Orders to march up hither to assist the Forces at* Tadcaster, *giving me neither reason of his not coming to me, nor of his March towards* Hull; *and I understand that Sir* John Gell *had raised eight hundred Men in* Derbyshire, *sent unto him to march hither to our Succours, but I have received an Answer from him, that he is not able to stir from thence; from Sir* Anthony Irby, *nor the* Lincolnshire *men I hear nothing, though I have sent to them express Messengers; so our whole strength here (upon return of the former sent into the North) consisting of twenty one Companies of Foot, and seven Troops of Horse, and one Company of Dragooners; we did send of them two Companies of Foot to secure* Selby, *and one Company to secure* Cawood-Castle, *and quartered the rest, part of them at* Wetherby, *under Command of Capt.* Hotham, *whom I have nominated to be Lieutenant-General of the Army, and the rest at* Tadcaster, *under my own Command: And upon* Tuesday, *receiving Intelligence that the Earl of* Newcastle, *with his whole Forces, intended to fall upon our Quarter at* Tadcaster, *I sent to Capt.* Hotham *to bring up the Forces at* Wetherby, *which being done, and the Earl of* Newcastle's *Army come in sight, we drew our Men into the uttermost part of our Quarter, where we had raised some Breast-works for our Musqueteers, and there the fight began about eleven of the Clock, and so continued in sharp dispute until about four of the Clock in the evening; in which time there was at least forty thousand Musquet-shots discharged on both sides, and great numbers of Cannon-shot.*

The Fight at *Tadcaster.*

An. 1642.

The Enemy had once won part of the Town, and beaten our Men, and placed ſome of their Companies in two or three Houſes, which did much indanger us, but in the end our Men with great courage forced them out again, recovered and burnt the Houſes, and kill'd many of the Enemies Men that were there placed; and in concluſion, the Enemy retreated, leaving very many of their Men dead, and very great numbers wounded, the certain numbers, nor qualities of the perſons, we could not take, but it is generally ſaid by the Country people, that there were at leaſt one hundred found kill'd and burnt; and we took ſeventeen Priſoners in the fight: And on our part we loſt ſix Men: and Capt. William Lyſter, *a valiant and gallant Gentleman, who was ſhot with a Muſquet Bullet in the head; and we had about twenty more wounded, and loſt not one Priſoner in the Battel; though divers of our Men being negligent of their duty, ſtayed behind us when we quitted the Quarter, and ſo were taken the next day there by the Enemies, and made Priſoners. In this Fight our Men behaved themſelves with very great Reſolution, far beyond expectation, inſomuch as I conceive we might have maintained the place ſtill, if we had been furniſhed with Powder and Shot; but having ſpent in a manner all our whole ſtore of Bullet, Match and Powder, I adviſed with the Commanders, and by general conſent it was thought fit to riſe with our Forces, and march to* Cawood *and* Selby, *to ſecure thoſe places, and there receive Supplies of Ammunition and Men; which was accordingly done: And now I am at* Selby *with part of the Army, and the reſt with Capt.* Hotham *at* Cawood. *And yeſterday I ſent my Son, Sir* Thomas Fairfax *with five Companies of Foot, and two Troops of Horſe to* Leedes, *intending he ſhould continue there to ſecure that place, and the other Clothing Towns, againſt the Earl of* Newcaſtle's *Forces, if it were poſſible; but the Enemies Forces were laid ſo ſtrong in the way, as he could not paſs; ſo he only beat up a Quarter of the Enemies in a ſmall Village, took five Priſoners, and retreated to* Selby.

Selby, Dec. 10. 1642.

Your Lordſhips moſt faithful and humble Servant,
Ferd Fairfax.

Wincheſter taken by *Waller*, *Dec.* 13. 1642.

The Lord *Grandiſon* and others that took *Marlborough*, having taken up their Quarters at *Wincheſter*, Sir *William Waller*, Col. *Brown*, and Col. *Harvey* came before that City; againſt whom there ſallied out two Regiments of Foot, and afterwards a Party of Horſe, but being both beat back with loſs, thoſe within retreated to the Caſtle, and the Aſſailants beginning to Scale the Walls, they deſired Quarter, which was granted, only detaining Priſoners the Commanders and Officers: and the common Soldiers, being near 800, were ſtript and diſmiſſed; but the Lord *Grandiſon* and Major *Willis* made their Eſcape as they were carrying to *Portſmouth*, having, as was ſuppoſed, charm'd their Keeper with a good Sum of Money, and ſo got to *Oxford*.

Dec. 18 1642. Gentlemen Commiſſioners of Array taken in *Devonſhire*, and ſent up Priſoners to *London*.

The High-Sheriff of *Devonſhire*, and other Gentlemen, being muſtering the Forces of that County at a place call'd *Modbury*, by virtue of the Commiſſion of Array, notice was given thereof to the Garriſon of *Plymouth*; whereupon Col. *Ruthin* ſallied out from thence with 500 Horſe, upon whoſe Approach the Country Soldiers fled, and left their Commanders in one Mr. *Champernoon*'s Houſe, where they awhile ſtood upon their Defence, but being inviron'd upon the firing of an Out-houſe, they yielded, and were brought up by Sea to *London*; *Viz.*

John Forteſcue the late High-Sheriff; Sir *Edm. Forteſcue* the preſent High-Sheriff; Col. Sir *Edward Seymour* Knight and Baronet; *Edw. Seymour* Eſq; Knight of the Shire for the County of *Devon*; Col. *Henry Champernoon*,

18 *Caroli.*

pernoon, Major *Edm. Tirman*, Capt. *Tho. Wood*, *Arthur Baſſet* Eſq; a Juſtice of Peace, *Peter Forteſcue*, *Hen. Bidlake*, *Robert Warren* and *Tho. Shipcot* Eſquires; *Tho. Lee*, *Tho. Short*, *Hugh Pomrey*, *Will. Barns*, *Will. Hooper*, *George Baily* and *Will. Penroſe* Gent. who were Committed, ſome to *Wincheſter-Houſe*, others to *Lambeth-Houſe*, which places at this time were both uſed as Priſons. There were alſo taken with them ſeveral Enſigns, and one which had for its Device, a Cannon with this Motto iſſuing from the mouth of it, *O Lord open thou my Lips, and my Mouth ſhall ſhew forth thy praiſe.*

A Declaration of the Lords and Commons aſſembled in Parliament, *Die Sabbatti*, *Dec.* 17. 1642. touching *Lilburn* and other Priſoners, threatning *Lex Talionis.*

WHereas Information hath been given to the Lords and Commons aſſembled in Parliament, That *Clifton*, *Catesby*, *John Lilburn* and *Robert Vivers*, Captains in the Army, raiſed by Authority of both Houſes of Parliament, for the neceſſary Defence of the true Proteſtant Religion, the King, Parliament and Kingdom, under the Command of *Robert* Earl of *Eſſex*, Captain-General thereof, were taken Priſoners by the Forces raiſed againſt the Parliament, in executing their ſeveral duties and ſervices, according to the Ordinances of both the ſaid Houſes, and afterwards carried Priſoners to *Oxford*, and having been moſt barbarouſly uſed, are now queſtioned and proceeded againſt by way of Indictment, before Sir *Robert Heath* Kt. one of his Majeſty's Juſtices of the *Kings Bench*, and others (by colour of ſome Commiſſion, or other Authority from his Majeſty) for High Treaſon and other ſuppoſed Miſdemeanors, whereas many have been taken Priſoners by the Parliament Forces, in the Act of War againſt the Parliament, which by the Laws and Statutes of this Realm is Rebellion and High Treaſon againſt the King and Kingdom, and the Actors therein Traytors, and yet none of them hath hitherto been put to Death, or otherwiſe ſeverely dealt with by the Parliament.

It is therefore Ordered and Declared by the ſaid Lords and Commons, that all ſuch Indictments and other Proceedings againſt the ſaid Captain *Catesby*, Capt. *Lilburn*, and Capt. *Vivers*, or againſt Capt. *Wingate*, who have done faithful and good Service to the Commonwealth, or againſt any other perſon or perſons who have done, or ſhall do Service in the ſaid Army, or for the raiſing of any Money, Plate, Horſe, or Arms for the maintenance thereof, or otherwiſe in Execution of, or in purſuance of any Order or Ordinance of both or either of the ſaid Houſes of Parliament, for the Defence of the Publick Safety, are unjuſt and illegal; and the ſaid Sir *Robert Heath*, and all other Commiſſioners, Juſtices, Sheriffs, Jurors, and other Officers and Miniſters of Juſtice, and other Perſons whatſoever, are hereby required and enjoyned, to ſurceaſe any further proceeding againſt the ſaid Perſons before-named, or any other for any the Cauſes aforeſaid, upon the ſaid Indictments, or otherwiſe; And the ſaid Lords and Commons do further declare, That if the ſaid Perſons before-named, or any of them, or any other, ſhall be put to death, or other hurt or violence offered to their or any of their perſons, for, or by reaſon of any ſuch Service done, or to be done, by, or according to any Order or Ordinance of both or either of the ſaid Houſes, the like puniſhment ſhall be inflicted by death or otherwiſe upon ſuch Priſoners as have been or ſhall be taken by the Forces raiſed by both Houſes of Parliament; And if the ſaid Sir *Robert Heath*, or any other Commiſſioner, Juſtice, Sheriff, Juror, or other Officer, or Miniſter of Juſtice, or other perſon ſhall do contrary to this Ordinance in any of the Premiſſes, they and every of them for ſo doing, ſhall be proceeded againſt, and dealt with as Enemies to the King and Kingdom.

An. 1642.

A Declaration of the Lords and Commons Aſſembled in Parliament for Aſſociating ſeveral Counties.

THe Lords and Commons now in Parliament aſſembled, being certainly informed, that Papiſts and other wicked and ill-affected perſons have traiterouſly combined together, and entred into Aſſociation, and have raiſed, and daily do raiſe great Forces both of Horſe and Foot, in ſeveral Counties of this Kingdom, and have plundred, ſpoiled, and deſtroyed Multitudes of his Majeſty's good Subjects, and if not timely prevented will utterly ſubvert and deſtroy the true Proteſtant Religion (which is their chiefeſt deſign) the Laws of the Land, the Priviledge of Parliament, and the Liberties of the Subject; the ſaid Lords and Commons do declare, That they hold it a thing fit and neceſſary for the preſent ſtate of this Kingdom, and do accordingly order, That all Lord Lieutenants, Deputy Lieutenants, Colonels, Captains, and other Officers, and all other well-affected Perſons, Inhabitants in the ſeveral Counties of *Norfolk*, *Suffolk*, *Eſſex*, *Cambridge*, and the Iſle of *Ely*, *Hartford*, and the County of the City of *Norwich*, ſhall and may Aſſociate themſelves, and mutually aid, ſuccour and aſſiſt one another in the mutual defence and preſervation of themſelves, and of the Peace of the ſaid Counties, from all Rapines, Plunderings, Spoiling of the ſaid Papiſts and other ill-affected Perſons.

And it is further ordered and declared, That the ſaid Lord Lieutenants, Deputy Lieutenants, Colonels, Captains, and other Officers, have power and authority to raiſe Forces of Horſe and Foot, and to lead them into any place which ſhall be fitting and convenient, and to give Battel, and to fight with all ſuch as are, or ſhall be raiſed to levy War againſt the Parliament, and all other Forces raiſed without Authority and Conſent of both Houſes of Parliament, that make any Inſurrection and Plunder, and deſtroy his Majeſty's good Subjects, and them to invade, reſiſt, ſuppreſs, ſubdue, purſue, kill and ſlay, and put to execution of death, and by all means to deſtroy, as Enemies of the Kingdom; And to perform all things elſe needful for the preſervation of the Safety and Peace of the ſaid Counties, either by Water or Land, obſerving from time to time ſuch other Directions and Commands as they ſhall receive from both Houſes of Parliament, or from the Earl of *Eſſex* Lord General: And that the ſaid Inhabitants of the ſaid ſeveral Counties, and every of them for ſo doing, ſhall be ſaved, and kept harmleſs by Power and Authority of Parliament.

And the ſaid Lords and Commons, taking into their ſerious conſiderations the neceſſity of appointing a Commander in chief over the Forces which are, or ſhall be raiſed in the Counties aforeſaid, or any of them, for the Service aforeſaid, in regard that by particular Commiſſions already granted to perſons in the ſaid ſeveral Counties, there is not power given to lead Forces out of their own Counties, It is ordered that the Lord General the Earl of *Eſſex*, ſhall be deſired to grant a Commiſſion to *William* Lord *Gray* of *Wark*, to command in chief, as Major General of all the Forces to be raiſed in the ſaid Counties; and to have power to lead, conduct, and carry the ſame to ſuch places within the ſaid Counties, as he ſhall think fit for the Defence of the ſaid Counties; and likewiſe power to give the ſame Orders and Inſtructions in his Excellency's abſence, for regulating the Soldiers, which are, or ſhall be under his command, as his ſaid Excellency hath given to his Army, and to uſe Martial Law to compel Obedience thereunto, as occaſion ſhall require; and alſo power and authority to make and appoint Colonels, Captains, and other Officers, for levying, conducting, and leading the ſaid Forces as he ſhall think fit.

Jo. Browne Cler. Parliamentorum. *H. Elſynge Cler. Parl. D. Com.*

Inſtru-

18 Caroli.

Inſtructions for the Lord Lieutenants, Deputy Lieutenants, and other Officers and Commanders in the Counties of Norfolk, Suffolk, Eſſex, Cambridge, Iſle of Ely, Hartford, *and County of the City of* Norwich.

1. THat the Lords Lieutenants of the ſeveral Counties of *Norfolk*, *Suffolk*, *Eſſex*, *Cambridge*, *Iſle of Ely*, *Hartford*, and the County and City of *Norwich*, or the Deputy Lieutenants of the ſaid Counties reſpectively, or any two or more of them, with all convenient ſpeed, do ſummon the ſeveral Gentlemen, Freeholders, and other Inhabitants of the ſaid ſeveral Counties, as well within Liberties and Corporations as without, that do or are able to bear or find Arms, to ſuch places in the ſaid ſeveral Counties, as they hold moſt fitting, and at ſuch Meetings to take a ſurvey, what Arms and Force can be raiſed in the ſaid Counties reſpectively, and examine the defects of Arms and Ammunition, and to conſider of ſome fitting courſe how to have the want of Arms and other defects to be ſupplied; And at ſuch Meetings, or at any other fit time or times, the ſaid Deputy Lieutenants, or any two of them, with the aſſiſtance of the Committee for the Propoſitions and Subſcriptions in the ſeveral Counties, or any two of them, ſhall and may propound to all the Inhabitants of the ſaid Counties, Cities and Corporations, that are able to bear or find Arms, or to contribute towards the ſame, what preſent and imminent danger and neceſſity the whole Kingdom is now reduced unto, by the wicked advice and attempts and conſpiracies of Papiſts and other Perſons now about his Majeſty, and to propound to them to joyn in an Aſſociation and mutual Defence of one another, according to the form of an Aſſociation hereunto annexed. And to require them to ſet down in writing, and ſubſcribe what Arms for Horſe and Foot, what Horſe, either Dragooners or others, they will have in readineſs upon every juſt occaſion for the Defence of the ſaid Counties.

2. Secondly, The better to prevent the plundering and ſpoiling of the ſaid Counties, and to have means for the furniſhing of Arms and Ammunition, making Fortifications, and payment of Officers, and other publick neceſſary Charges, that there be forthwith raiſed in the ſaid ſeveral Counties reſpectively, the fourth part of ſuch like ſeveral ſums as were aſſeſſed upon the ſaid Counties, by virtue of the Act lately made in this preſent Parliament, for the raiſing of 40000 pounds, the ſame fourth part to be raiſed by way of Tax and Rate upon the ſaid ſeveral Counties reſpectively.

3. And for the better levying of the ſaid fourth part of the ſaid ſum of 40000 pounds, or of any other ſum to be aſſeſſed and ſet upon the ſaid Counties for the defence and preſervation of the ſame, by conſent of both Houſes of Parliament; That the Lord Lieutenants, and Deputy Lieutenants of the ſaid Counties reſpectively, or any two or more of them, ſhall and may Aſſeſs and Tax, or cauſe to be Aſſeſſed and Taxed, the ſaid ſum and ſums upon the ſeveral Cities, Corporations, Hundreds, Towns, and Hamlets in the ſaid ſeveral Counties, after the moſt induſtrious and uſual proportion of other Rates in the ſaid Counties; and that they, or any two or more of them, nominate and appoint Treaſurers, Collectors, and Aſſeſſors in every County aboveſaid, for the Aſſeſſing, Receiving, and Collecting ſuch ſum and ſums of Money as aboveſaid; and that the ſaid Lord Lieutenants, Deputy Lieutenants, or or any two or more of them, ſhall and may grant Warrants under their Hands and Seals in writing to any Conſtable or other Officer whatſoever, to raiſe and levy the ſaid ſum and

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An. 1642. ſums ſo to be aſſeſſed and taxed as aboveſaid, upon all ſuch perſons upon whom any ſum ſhall be ſo aſſeſſed and ſet as aboveſaid, that do refuſe or neglect to pay the ſame by way of diſtreſs and ſale of the Goods of the perſon ſo refuſing, and neglecting to pay the ſame; And in caſe no diſtreſs is or may be found, then the ſaid Lord Lieutenants, Deputy Lieutenants, or any two or more of them, ſhall and may commit ſuch perſon and perſons ſo refuſing, and neglecting to pay as aboveſaid, to ſome common Goal, there to remain without Bail or Mainprize, until payment made of ſuch ſum and ſums as aboveſaid.

4. That all Sheriffs, Juſtices of the Peace, Majors, Bailiffs, and Conſtables, and all other his Majeſty's Officers, as well within Liberties as without, be from time to time aiding and aſſiſting unto the ſaid Lord Lieutenants and Deputy Lieutenants, in execution of the power to them given by both Houſes of Parliament, and of theſe Inſtructions.

5. That the Lord Lieutenants and Deputy Lieutenants of the ſaid ſeveral Counties, or any two or more of them, do put in execution in the ſaid Counties all former Inſtructions to them granted by both Houſes of Parliament for the executing of the *Militia*, diſarming thoſe Popiſh Recuſants, and other ill-affected perſons, and for the preſerving of the Peace of the ſaid Counties.

6. That no Treaſurer and Receiver of any Money ſhall iſſue any Money, but under the Hands of the Lord Lieutenants, or two or more Deputy Lieutenants in every County reſpectively; and that the ſeveral Lord Lieutenants and Deputy Lieutenants do not ſign, or grant any warrants for the iſſuing or paying any ſum or ſums, but for the furniſhing of Arms and Ammunition, making of Fortifications, payment of Officers and Soldiers, and other neceſſary Publick Charges, tending to the Safety and Preſervation of the ſaid Counties, and not otherwiſe.

7. That the Lord Lieutenants and Deputy Lieutenants of every the ſaid Counties reſpectively, or any two or more of them, ſhall and may from time to time raiſe ſuch and ſo many of the Trained Bands, and other Perſons inhabiting in the ſaid Counties, as they ſhall judge neceſſary and fitting, to enter into the Houſes of all Papiſts, and other Perſons that are Voted to be Delinquents by both or either Houſes of Parliament; or that have put in execution the Commiſſion of Array, or that have been preſent with, or aiding and aſſiſting to his Majeſty in this unnatural War againſt the Parliament, or that being of Ability, have not contributed upon the Propoſitions of raiſing of Horſe, Money or Plate, for the Defence of the King or Parliament, or that have refuſed to ſend Horſe and Arms to the Muſters, when by the Deputy Lieutenants appointed by power of Parliament, they have been required ſo to do; or ſuch Clergy-men and others that have publickly preached or declared themſelves to oppoſe, diſgrace or revile the proceedings of both or either Houſes of Parliament; and to ſeiſe upon the Arms, Ammunition and Horſes fit for Service in the War, that belong to ſuch Perſon and Perſons; the ſame Horſes, Arms and Ammunition, to be employed and diſpoſed of by the direction of one or more of the Deputy Lieutenants of the ſaid Counties for the Publick Service and Defence of the ſeveral Counties, and in the mean time to be kept in ſome ſafe place.

8. That in every County the Lord Lieutenants, Deputy Lieutenants, or any two or more of them, do cauſe the ſeveral Companies of the Trained Bands and Voluntiers to be put into Regiments, and to nominate, appoint and place Colonels, Lieutenant Colonels, Serjeant Majors, Captains, Lieutenants, and other Officers in every Regiment and Company where any ſuch are wanting, or when ſuch as are, and have been nominated, have refuſed to execute thoſe places.

9. That

9. That the Lord Lieutenants, Deputy Lieutenants, or any two of them, in each County reſpectively, do nominate and appoint one experienced Soldier in every Regiment, to be an Adjutor, to be Reſident in the ſaid Counties, to exerciſe the ſeveral Companies of the ſaid Regiment, and to be aiding and aſſiſting to the Colonel from time to time, and to do and perform all ſuch commands as he ſhall receive from the Lord Lieutenants, Deputy Lieutenants, or the ſaid Colonels; and alſo to have in every Regiment one experienced Soldier to be a Sergeant, to exerciſe and teach the ſeveral Companies, and to execute the commands of the Lord Lieutenants, Deputy Lieutenants, or the Colonels, Lieutenant Colonels, or Serjeant Major of the ſaid Regiment, and the ſaid Serjeant, to have the pay of a Serjeant to a Company; and alſo that in each Troop of Horſe, there be an experienced Soldier appointed to be a Corporal. 18 *Caroli*

10. That the Dragooners be put into Companies, and that one hundred and twelve be allotted to a Company, and that each Company of Dragooners have an experienced Soldier to be a Corporal, and he to have the preſent pay of a Corporal.

11. That the Lord Lieutenants, Deputy Lieutenants in each County reſpectively, or any two or more of them, ſhall and may give command and directions from time to time to ſecure and fortifie all Bridges, Cawſeys, and Paſſages, and in times of approach of an Enemy, or fear of any Invaſion by an Enemy, to pull down, or ſtop the Bridges, Cawſeys, Paſſages, and to cut the Banks in the ſaid Counties reſpectively; and to have power to fortifie and ſecure any Town, Hundred, or Hamlet, where the ſaid Town, Hundred, or Hamlet are willing to do the ſame at their own proper charges; and alſo to have power at all times to ſeize and ſtop all Barges, Boats, or other Veſſels paſſing by water, for the ſafety of the ſaid County.

12. That the ſaid Lord Lieutenants, Deputy Lieutenants, or any two of them, ſhall and may impriſon, or commit to ſafe Cuſtody, all and every ſuch perſons, as being able and have due Summons, do notwithſtanding refuſe or wilfully neglect to appear at Muſter, or to ſend ſome able perſons to be allowed of, by the Captain or chief Officer of the Company in his behalf.

The Reſolution and Aſſociation of the aforeſaid Counties.

WHereas the Lords and Commons now aſſembled in Parliament, have taken into their conſiderations, That in times ſo full of Diviſion and Danger as theſe are, an Union of our Hearts and Forces is moſt conducing to the publick good and ſafety of the whole Kingdom; and have therefore ordained, That the Inhabitants of the Counties of Eſſex, Suffolk, Norfolk, Cambridge, *and* Hartfordſhire, *together with the* Iſle of Ely, *and the County of the City of* Norwich, *ſhould enter into an Aſſociation with one another, for the maintenance and preſervation of the Peace of the ſaid Counties. Therefore in purſuance of the ſaid Order, and the better to confirm a mutual confidence in one another, we whoſe Names are hereunto ſubſcribed, do hereby promiſe, teſtifie, and declare to maintain and defend, with our Lives, Powers, and Eſtates, the Peace of the ſaid Counties, and to aid and aſſiſt one another, under the Command and Conduct of ſuch Perſon as now hath, or hereafter ſhall have by the Authority of both Houſes of Parliament, the Command in chief of all the Forces of the ſaid Counties, according to the true intent and meaning of the ſaid Order of Aſſociation; whereunto we do moſt willingly give our Aſſents; and neither for hope, fear, or other reſpect, ſhall ever relinquiſh this promiſe.*

An. 1642.

WE the Inhabitants in the County of whoſe Names are hereunder written, do hereby ingage our ſelves to provide Horſes and Arms, and to maintain and find at our own proper coſts and charges, and at all times to have in a readineſs for the Service of this and thoſe other Counties now aſſociated together by the Authority of both Houſes of Parliament, ſo many Men compleatly armed and furniſhed, and ſuch Horſes, Geldings, Nags, Mares, as we have reſpectively ſubſcribed for, to be commanded, led, and conducted into any parts and places within the ſaid County, by ſuch perſon as now hath, or hereafter ſhall have the command in chief of all the Forces of the ſaid Counties.

Ordered by the Lords and Commons in Parliament, That this Declaration, Inſtructions, and Reſolution be forthwith printed and publiſhed.

John Browne, Cleric. Parliament.
Hen. Elſyng. Cler. Parl. D. Com.

By the KING.

A Proclamation touching the Adjourning of Part of *Hilary Term*, Dec. 17. 1642.

THE Kings moſt excellent Majeſty being now involved in an unnatural War, raiſed againſt him by divers of his own Subjects, and finding no hope of a preſent Peace, which he hath much deſired and indeavoured, and being now ſettled at his City of Oxford, *in his own Perſon, and his Army attending him there for his neceſſary defence for this Winter ſeaſon, hoping that before any new occaſions ſhall be offered for the effuſion of more blood unnaturally ſpilt, it will pleaſe God, who is the God of Peace, to open ſome way to attain thereunto, which ſome by all means indeavour to divert, hath amongſt other things which concern the good and proſperity of his People, taken into his Princely conſideration, how and in what place, and in what manner the next enſuing* Hilary Term *with moſt conveniency for himſelf, and his own Affairs, and for his good Subjects, may be held in a time of ſo much danger and diſtraction; and upon ſerious weighing of all Circumſtances fit to be conſidered of, his Majeſty hath reſolved, and by this his Royal Proclamation doth order, appoint, declare, and publiſh, That becauſe the Lord Keeper of the Great Seal is the Supream Judge of the high Court of* Chancery, *and he muſt neceſſarily attend his Majeſty's Perſon, that the ſaid Court of* Chancery, *and all Proceedings of what kinds or ſorts ſoever, ſhall, and by theſe Preſents are, and ſtand Adjourned to the City of* Oxford, *where his Majeſty's Reſidence now is, and for that time is likely to be for the whole Term of St.* Hilary *now next enſuing, and ſhall begin, and be there held and continued upon, and from the three and twentieth day of* January *now next enſuing, until and upon the Thirteenth day of* February *then next following. And becauſe the Commiſſioners for his Majeſty's Treaſury, and the Chancellor of the* Exchequer, *are likewiſe here attending his Perſon, that the Receipt of his Majeſty's* Exchequer, *and of the Firſt Fruits and Tenths, payable by all Spiritual Perſons, and others, ſhall be, and by theſe Preſents is and ſtand Adjourned for and during all the Term and time aforeſaid, unto the ſaid City of* Oxford, *and ſhall be there held and continued. And becauſe the Court of the Dutchy of* Lancaſter *may with more eaſe and conveniency to all his Majeſty's Officers and loving Subjects, having occaſion to attend the ſame, be kept in the City of* Oxford, *then at the City of* Weſtminſter *in theſe troubleſome times, that the ſaid Court of the Dutchy of* Lancaſt. *ſhall be, & by theſe Preſents is and ſtands*

18 *Caroli.*

ſtands Adjourned for, and during all the Term and time aforeſaid, unto the ſaid City of Oxford, *and ſhall be there held and continued. And becauſe his Majeſty's Court of* Wards *and* Liveries *is principally intent upon matters of his Revenue, and the ſame with much more conveniency to his Majeſty, and with as little inconveniency to his Subjects having buſineſs therein, may be as well held in* Oxford *as in* Weſtminſter, *his Majeſty doth farther alſo by theſe Preſents, order, appoint, declare and publiſh, That the ſaid Court of* Wards *and* Liveries *ſhall be, and by theſe Preſents is and ſtands Adjourned for and during all the Term and time aforeſaid, from the ſaid City of* Weſtminſter *unto the ſaid City of* Oxford, *and ſhall be there held and continued. And becauſe it is moſt proper that the Lord Privy-Seal for the time being, and the Maſters of* Requeſts *to his Majeſty, who are Councel of the Court of* Whitehall, *or Court of* Requeſts, *ſhould attend his Majeſty's Perſon, whereſoever he is, or ſhall be; and all Suits depending in that Court, are properly depending before his Majeſty, and the Bills there exhibited unto his Majeſty, and to none other, his Majeſty doth likewiſe order, appoint, declare and publiſh, That the ſaid Court of Requeſts, or Court of* Whitehall, *ſhall be, and by theſe Preſents is Adjourned from* Weſtminſter *aforeſaid, unto the ſaid City of* Oxford, *and for, and during all the Term and time aforeſaid, ſhall there be held and continued. And becauſe in the time of theſe miſerable diſtractions, the Subjects of this Kingdom, having Suits in any of the Courts of the* Kings Bench, Common Pleas, *and* Exchequer, *cannot with ſuch ſafety and contentment as his Majeſty wiſheth unto them, attend their Suits and Cauſes depending in any of the ſaid three Courts. And yet that many Cauſes of ſmaller moment may be diſpatched without the Clients and Suitors themſelves, by their Attorneys and Solicitors, if but a part of the ſaid Term may be held and kept in the places where the Records of thoſe Courts now are, and from whence without very much trouble and charge they cannot be removed, his Majeſty hath further reſolved, and by theſe Preſents doth publiſh and declare, That he ſhall, and will by his Writs of Adjournment, totally Adjourn the two firſt Returns of the ſaid enſuing Term of St.* Hilary, *commonly called* Octabis Hillarii, *and* Quindena *Hillarij, until the Return called* Craſtino Purificationis, *and the two laſt Returns of the ſaid Term, called* Craſtino Purificationis, *and* Octabis Purificationis, *ſhall be held at* Weſtminſter *in the uſual places where formerly they were held. All which his Majeſty ſignifieth to all and ſingular his Officers, Miniſters and loving Subjects of this Realm, to the intent that they, and every of them who have, or ſhall have any Suit, or other occaſion to attend any of the ſaid Courts of* Chancery, Receipt of the Exchequer, *and of* Firſt Fruits *and* Tenths, Dutchy of Lancaſter, *Court of* Wards *and* Liveries, *and Court of* Requeſts, *may give their attendance at the ſaid City of* Oxford, *and not elſewhere; and that ſuch of them as have, or ſhall have cauſe to attend, or who have cauſe or commandment to appear in any of his Majeſty's ſaid Courts of* Kings Bench, Common Pleas, *and* Exchequer *at* Weſtminſter, *in or at the ſaid Returns of* Octabis Hillarii, *and* Quindena Hillarii, *or in, or at any day or time from and after the ſaid Returns of* Octabis Hillarii, *and* Quindena Hillarii, *and before the ſaid Return of* Craſtino Purificationis, *may tarry at their dwellings, or where their buſineſs otherwiſe ſhall lie, without reſorting to any of the ſaid Courts for that cauſe before the ſaid Return of* Craſtino Purificationis *next coming, and that without danger of forfeiture, penalty, or contempt, to incur towards his Majeſty in that behalf. And nevertheleſs his Majeſty's pleaſure is, That two of his Juſtices, that is to ſay, of either Bench one, ſhall the firſt day of the Term of St.* Hilary, *called* Octabis Hillarii, *according to the ancient order of the Laws, keep the* Eſſoins *of the ſaid* Octabis Hillarii, *at which Return of* Octabis Hillarii, *Writs of Adjournment*

TT. b. 15 Part III

An. 1642.

ſhall be directed to the ſaid Juſtices, giving them Authority to Adjourn part of the ſaid Term of St. Hilary *; that is to ſay, from* Octabis Hillarii, *until the ſaid Return of* Craſtino Purificationis, *as before is ſaid; and the ſame Adjournment ſhall be made in the firſt day of the ſaid* Octabis Hillarii, *commonly called the day of the* Eſſoins, *willing and commanding all and every of his Majeſty's Officers, Miniſters, and Subjects to whom it doth, or ſhall appertain, to obſerve and keep their Aſſemblies and Appearances, with all their Returns and Certificates in his Highneſs ſaid Courts at* Weſtminſter *in* Craſtino Purificationis *next, then and there to be holden and kept, and there to do their Offices and Duties in every behalf in like manner and form as they ſhould our ought to have done, if this preſent Proclamation had not been had or made, as they will anſwer the contrary at their perils.*

Given at his Majeſty's Court at *Oxford*, the 27th day of *December*, in the Eighteenth Year of his Reign.

God Save the KING.

Chicheſter taken by Sir *Will. Waller*, *Dec.* 29. 1642.

Sir *William Waller* about the middle of *Deeember* appeared before the City of *Chicheſter* in *Suſſex*, where many Gentlemen of Quality were gathered together for the Service of the King. Several Troops of Horſe and Dragoons were brought to *Waller*'s Aſſiſtance by Col. *Morley* a Member of the Houſe of Commons, and Sir *Michael Liveſey* a Kentiſh Knight. *Waller* ſummoned the Town by a Trumpet, and offered Conditions, but thoſe within refuſed to accept them. Then he began his Batteries, and after eight days Siege, many great Shots, and ſeveral Aſſaults and Sallies having been given and made with ſome loſs on either ſide. The City not able longer to hold out, was on the 29th of *December* ſurrendred only upon Quarter for their Lives, where of Officers theſe that follow were made Priſoners, and on the ſecond of *January* brought up to *London*, *Viz.*

Sir *Edward Ford* High Sheriff of *Suſſex*, Col. *Lindſey*, Col. *Shelley*, Lieutenant Colonel *Porter*, Major *Lindſey*, Serjeant Major *Danſon*, Major *Gourdon*, Major *Lernon*, Seventeen Captains, Thirteen Lieutenants, and Eight Enſigns. But it is to be noted, That although theſe had Commiſſions from his Majeſty for ſuch Commands, yet they had not raiſed their Men; but whilſt they were about their Levies, were forced into this City.

There were alſo other Perſons of note made Priſoners; as Dr. *King*, then Biſhop of *Chicheſter*, Mr. *Lewkner* Recorder of that City, Sir *William Valentine*, Mr. *Collins* a Miniſter, *Walter Monk*, *William Mayo*, *Rich. Mayo*, *John Windſor*, and Mr. *Anderſon*. The Inhabitants offered the Parliaments Soldiers a Months Pay to be excuſed from being Plundered, which was accepted of. On *Sunday* the Eighth of *January*, Thanks was ordered to be given in all Churches and Chappels in *London*, *Weſtminſter*, and *Middleſex* for this Succeſs.

Triceſimo Decembris 1642.

An Agreement made the Day above at Bunbury *in the County of* Cheſter *for a Pacification and Settling of the Peace of that County, by us whoſe Names are ſubſcribed, authorized hereunto by the Lords and Gentlemen nominated Commiſſioners of Array, and Deputy Lieutenants of the ſaid County.*

An Agreement in *Cheſhire* for Neutrality or Pacification, *Dec.* 30. 1642.

1. IT is agreed that there be an Abſolute Ceſſation of Arms from henceforth within this County, and no Arms taken up to offend one another, but by the conſent of the King, and both Houſes of Parliament, unleſs it be to reſiſt Forces brought into the County. 2. That

18 *Caroli.*

2. That all but 200 of either ſide ſhall be disbanded to morrow, being *Saturday*, and on *Monday* all the reſt, on both ſides, both Horſe and Foot, ſhall be disbanded.

3. That all Priſoners on both ſides be enlarged. As for Mr. *Norton*, who is now Priſoner at *Mancheſter*, the Gentlemen appointed Deputy Lieutenants do declare, That he was taken without their privity or encouragement by ſome *Mancheſter* Troops, upon a private Quarrel, for taking Powder and other Goods belonging to one of *Mancheſter*; yet they will uſe their utmoſt endeavours to procure his Enlargement, and do deſire the like Endeavours be uſed by Lords, and others, Commiſſioners of Array, for Enlarging Mr. *Daniel* of *Dasbury*.

4. That the Fortifications of *Cheſter*, *Nantwich*, *Slopford*, *Nutsford*, or any Town in *Cheſhire*, lately made by either part, be preſently demoliſhed.

5. That all Goods and Arms taken on both ſides, now remaining in the County *in ſpecie*, be forthwith reſtored: and for all others that are taken out of the County, it is promiſed on both Parts, that ſince the benefit of this Pacification redounds to the whole County, they will uſe their utmoſt Endeavours for a Joint Contribution of the County towards Satisfaction to the Owners.

6. That the Lords and Gentlemen Commiſſioners of Array, before the Eighth day of *January* next, procure from his Majeſty a Letter, thereby declaring, That in regard a Peace is made in the County, he will ſend no Forces into this County; and if any other Perſon ſhall, contrary to ſuch Declaration, bring Forces into the County (paſſage for Forces without doing any Hoſtile Act only excepted) the ſaid Lords and Gentlemen will joyn to Reſiſt them. And if any Forces, without the conſent of the King and both Houſes of Parliament, ſhall come into this County, (the Paſſages for Forces, without doing any Hoſtile Act, excepted) the ſaid Gentlemen nominated Deputy Lieutenants, will join to reſiſt them, and uſe their utmoſt Endeavours therein.

7. In regard by the Bleſſing of God there is like to be a Peace within the County, if this Agreement be, it is agreed, That the Commiſſioners of Array ſhall not any further put the Commiſſion of Array in Execution, nor the Gentlemen nominated Deputy Lieutenants, the Ordinance of the Militia, or execute their Commiſſion.

8. Laſtly, All the ſaid Parties do agree and promiſe each to other, on the word of a Gentleman, as they deſire to proſper, that as well themſelves, as alſo all their Friends, Tenants, Servants, and all others in whom they have any intereſt, ſhall, as much as in them lies, perform the Agreement; And it is further deſired, That all the Parties joyn in a Petition to his Majeſty and both Houſes of Parliament, for putting an end to the great Diſtractions and Miſeries fallen upon this Kingdom, by making a ſpeedy Peace. And it is agreed, That Sir *George Booth*, and all others within this County, who have appeared as Commiſſioners of Array, or as Deputy Lieutenants, by reaſon of the Ordinance of Parliament, ſhall with all convenient ſpeed ſubſcribe this Agreement.

Robert Kilmurry. *William Marbury.*
Orlando Bridgman. *Henry Mainwaring.*

But the Parliament alledging this Agreement for Neutrality was made without due Authority, and prejudicial to the Publick, declared againſt the ſame, and ſet it aſide; as they had done another before of the ſame Nature in *Yorkſhire*.

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31114

An. 1642.

A Declaration of the Lords and Commons for Defence of Hertfordſhire, *&c.* January 2. 164$\frac{2}{3}$.

WHereas great Forces of Papiſts, and other ill-affected Perſons are now in Actual War againſt the King, the Parliament, and the whole Kingdom; and part of thoſe Forces being now drawn to *Brill* in the County of *Buckingham*, and other places adjoyning, have according to their uſage, plundred, robbed, pillaged and murthered divers good Proteſtants thereabouts; and threaten to march into the County of *Hertford*, and other Counties that way, there to commit the like Outrages, and barbarous cruelties, as they have done in places where they have formerly been.

The Lords and Commons in Parliament, being moſt deſirous to prevent theſe Miſeries, and to ſuppreſs the Authors of them, for the better effecting thereof, do hereby deſire all well-affected Perſons of the County of *Hertford*, and other Counties and Places adjoyning, forthwith to raiſe all ſuch Forces of Horſe and Foot as they can make, and to march with them to *Aylesbury* in the County of *Buckingham*, or to ſuch other place as they ſhall be directed by Order from both Houſes of Parliament, or from the Earl of *Eſſex* Lord General, and to joyn with and aſſiſt the Forces raiſed by Authority of Parliament, for the Defence of themſelves, their Families, and Eſtates, and the true Proteſtant Religon, and for the ſuppreſſing and puniſhing thoſe Forces at *Brill*, and all other their Adherents, notorious Enemies to the King and Kingdom: And ſuch well-affected Perſons as the County of *Hertford*, or any other Counties or Places whatſoever, that ſhall joyn with and aſſiſt the Forces raiſed by Authority of Parliament, for the purpoſes above-mentioned, ſhall therein do a very acceptable Service to the Commonwealth, and ſhall be aſſiſted and protected by the Power and Authority of Parliament.

By the KING.

A Proclamation prohibiting the buying or diſpoſing of any the Lading of the Ship called the *Sancta Clara*, lately brought into *Southampton*.

The King's Proclamation about a Spaniſh Ship, *Jan.* 2. 164$\frac{2}{3}$.

COmplaint having been made unto his Majeſty by Don Alonco de Cardenas, *Ambaſſadour from the King of* Spain, *That a Ship called the* Sancta Clara, *belonging to the ſaid King and his Subjects, hath been lately treacherouſly brought to* Southampton *by one Capt.* Bennet Strafford, *and others from* Sancto Domingo, *the ſaid Ship being laded with Silver, Cocheneal, and other Wares and Merchandizes, to a very great value. And the ſaid Ship and Goods being by the ſaid Ambaſſadour arreſted, and the ſaid* Bennet Strafford *apprehended, whilſt a Suit for the ſaid Ship and Goods is depending in the Court of Admiralty, the Silver (part of the Lading of the ſaid Ship to a very great value) hath been diſpoſed of contrary to Law, without any other ſecurity given for the ſame, then the empty Name of Publick Faith, which without his Majeſty cannot (as is well known to all the world) be engaged, or if engaged without his Majeſty, is not valid, or to be relied on for Satisfaction. And it is further complained by the ſaid Ambaſſadour That the Cocheneal, and other Merchandizes formerly ſequeſtred at* London *and* Southampton, *albeit they are not periſhable, but have rather encreaſed in their price and value, are likely to be ſold againſt the will of thoſe who pretend to be the Owners, (Parties to the Suit depending in the ſaid Court*

of

18 *Caroli.*

of Admiralty) which is alledged to be apparently againſt the Rules of Law, and Practices of that Court in ſuch Caſes. His Majeſty well weighing what may be the ill Conſequences of ſuch injurious Proceedings, manifeſtly contrary to the Law, and the Articles of Treaty between the two Crowns; and plainly foreſeeing how heavily it may light upon ſuch of his good Subjects who have Eſtates in Spain, *and how deſtructive it may prove to the Trade and Commerce of his Subjects doth hereby not only expreſly charge and command the Judges of his Admiralty, and all others whom it may concern, to proceed in a Buſineſs of ſuch a value and conſequence, with care, expedition, and according to Juſtice; but doth alſo expreſly prohibit all Perſons, of what condition ſoever, upon pretence of any Order or Warrant from one or both Houſes of Parliament, or any Authority derived from thence, to buy, meddle with, or diſpoſe of any part of the ſaid Cocheneal, and other Goods or Merchandizes belonging to the ſaid Ship, until the propriety thereof ſhall be judicially decided and determined, upon pain of his Majeſty's high diſpleaſure, and of being reſponſible and liable to the payment and ſatisfaction for whatſoever damage ſhall happen to any of his Majeſty's Subjects, whoſe Goods or Eſtates ſhall for that cauſe be embarqued or ſeized in* Spain.

Given at the Court at *Oxford*, the Second Day of *January* in the Eighteenth Year of his Majeſty's Reign.

God ſave the KING.

A Declaration of the Lords *and* Commons *aſſembled in Parliament, for ſecuring of* Warwick, *&c.*

THE Lords and Commons now in Parliament aſſembled, being certainly informed, That Papiſts, and other wicked and ill-affected Perſons, have traiterouſly combined together, and entred into Aſſociation, and have raiſed, and daily do raiſe great Forces, both of Horſe and Foot, in ſeveral Counties of this Kingdom, and have plundered, ſpoiled, and deſtroyed multitudes of His Majeſties good Subjects, and if not timely prevented, will utterly ſubvert, and deſtroy the true Proteſtant Religion, (which is their chief deſign) the Laws of the Land, the Priviledges of Parliament, and the Liberty of the Subjects. The ſaid *Lords* and *Commons* do declare, That they hold it a thing moſt fit and neceſſary for the preſent ſtate of this Kingdom, and for the better ſecuring of the County of *Warwick*, and City and County of *Coventry*, and of the County of *Stafford*, and City and County of *Litchfield*, and the parts adjacent to the ſaid Counties; and do accordingly Order and Ordain, That the Lords Lieutenants, and the Committees of Parliament hereafter named (that is to ſay) for the County of *Warwick*, and City and County of *Coventry*, Sir *Peter Wentworth* Knight of the *Bath*, *Will. Purefoy* Eſq; *Godfrey Boſvile* Eſq; *John Barker* Eſq; *William Jeſſon* Eſq; the preſent Major of the City of *Coventry*, *John Hales* Eſq; *Anthony Stoughton* Eſq; *Thomas Boughton* Eſq; *William Colmore* Eſq; *George Abbot* Eſq; and *Thomas Baſnet* Alderman; and for the County of *Stafford*, and City and County of *Litchfield*, Sir *Hugh Wroteſley* Kt. and Bar. Sir *Charles Egerton* Kt. *T. Crompton* Eſq; *Edward Manwayring* Eſq; *Thom. Parkes* Eſq; *John Skrinſley* Eſq; *Gerard Shrinſley* Eſq; *Edward Leigh* Eſq; *Richard Broughton* Eſq; *Matthew Moreton* Eſq; *Richard Payot* Eſq; *George Parker* Eſq; *Humphrey Wicley*, *Rowland Cotton* Eſquires, *Walter Graſvenor* Eſq; *Richard Flier* Eſq; *Francis Collier* Eſq; *Richard Bowyer* Eſq; *Ralph Rudier* Eſq; the Major of *Stafford* for the time being, *Edward Broughton* Gent. *John Birch* Gent. *Philip Jackſon* Gent. *Henry Stone* Gent. *John Swineſield* Gent. the Bayliffs

An. 1642.

liffs and Sheriff of the City of *Litchfield* for the time being, *John Bourne* Gent. *Richard Baxter* Gent. and all Collonels, Lieutenant-Collonels, Serjeant-Majors, and other Captains and Officers, and all other well-affected Perſons inhabiting within the ſaid ſeveral Counties, Cities, and Parts adjacent, ſhall and may aſſociate themſelves, and mutually aid, and ſuccour, and aſſiſt one another, in the mutual preſervation and defence of themſelves, and the Peace of the ſaid Cities and Counties from all Rapine, Plundering, and Spoilings of the ſaid Papiſts, and ill-affected Perſons. And it is further ordered, ordained, and declared, That the ſaid Lord-Lieutenants, Committees of Parliament, Collonels, Lieutenant-Collonels, Serjeant-Majors, Captains, and other Officers, have Power and Authority to raiſe Forces of Horſe and Foot, and to lead them into any place which ſhall be fitting and convenient, and to give Battel, and to Fight with all ſuch as are, or ſhall be raiſed to levy War againſt the Parliament, and all other Forces raiſed without Authority and Conſent of both Houſes of Parliament, that make any Inſurrection and Plunder, or deſtroy His Majeſties good Subjects, and them to invade, reſiſt, ſuppreſs, ſubdue, and purſue, kill, and ſlay, and put to Execution of Death, and by all means to deſtroy as Enemies to the Kingdom, and to perform all things elſe needful for the preſervation of the ſafety, and peace of the ſaid Cities and Counties, and Parts adjacent, obſerving from time to time ſuch other Directions and Commands as they ſhall receive from both Houſes of Parliament, or from the Earl of *Eſſex* Lord General, and that the ſaid Perſons, and other Inhabitants for ſo doing ſhall be ſaved and kept harmleſs by the Power and Authority of Parliament. And the ſaid Lords and Commons taking into their ſerious conſideration the neceſſity of appointing a Commander in chief over the Forces which are, or ſhall be raiſed in the Cities and Counties aforeſaid, or any of them, for the Service aforeſaid, in regard that by particular Commiſſion already granted to Perſons in the ſaid ſeveral Counties, there was no Power given to lead Forces out of their own Counties, it is ordered and ordained, That the Lord General the Earl of *Eſſex*, ſhall be deſired to grant a Commiſſion to *Robert* Lord *Brook*, to Command in chief as General of all the Forces, raiſed or to be raiſed in the ſaid Cities and Counties, and Parts adjacent, and to have Power to Lead, Command and carry the ſame to ſuch places within the ſaid Cities and Counties, and parts adjacent, as he ſhall think fit for the Defence thereof; and likewiſe Power to give the ſame Order and Inſtructions in his ſaid Excellency's abſence, for regulating the Soldiers which are or ſhall be under his Command, as his ſaid Excellency hath given to his Army, and to uſe Martial Law to compel Obedience thereunto, as occaſion ſhall require; and alſo Power and Authority to make and appoint all Officers for levying, conducting, and leading the ſaid Forces as he ſhall think fit.

J. Browne Cler. Parliamentorum

Die Sabbathi, Januar. 7. 164$\frac{1}{2}$.

A Declaration of both Houſes of Parliament, ſhewing the neceſſity of a preſent Subſcription of Money and Plate, for further ſupply of the Army.

THE preſſing neceſſities of this Kingdom cauſed and daily multiplied by the traiterous and bloody Counſels and Attempts of thoſe pernicious and deſperate Counſellers ſtill about the King, and protected by him, while they more and more manifeſt their implacable Enmity to our Religion, the Parliament, and Peace of all his Majeſty's good Subjects and Dominions, have been ſuch, and ſo many, as have compelled us the Lords and Commons aſſembled in Parliament, to borrow more and far greater ſums of Money upon the Publick Faith (beſides thoſe which we our ſelves advanced

advanced for the preſervation of our Religion, the being (as well as the juſt and undoubted power and priviledges) of Parliament, our Laws and Liberties, from moſt apparent deſtruction, than at firſt we intended, and to be longer in repaying the ſame (which we ſtill unanimouſly reſolve ſhall be fully paid back with intereſt) then heretofore we promiſed. And albeit we be now preparing and expediting ſundry Propoſitions to be humbled and ſpeedily preſented to his Majeſty for an honourable and firm ſettling of the publick Peace, without more effuſion of Chriſtian Blood, yet no rational Man can be ignorant of the further neceſſity of providing more Treaſure, as well for ſupport of the Army raiſed by Authority of Parliament, until the King ſhall vouchſafe graciouſly to condeſcend to our juſt and neceſſary Requeſts. As for the full payment of all ſuch ſums of Money as already are, or further may be due, and Arrear for the neceſſary Proviſion of Arms, Ammunition, and Pay of the ſaid Army, until their Disbanding and Return home to their ſeveral Countries (according to the times to be limitted for that purpoſe) that ſo they may not be occaſioned through want of Pay to plunder, rob, or pillage by the way homewards, after their Diſcharge and Diſmiſſion. 18 *Caroli.*

Upon theſe Grounds alone we might very well recommend to the good affections and zeal of all good Men within the City of *London* and throughout the Kingdom, a new Advance and Loan of a very large and conſiderable ſum of Money, leſt (while all we have is now in more imminent danger than ever) not only all the Moneys already lent, but all thoſe Treaſures of our Religion, Laws and Liberties (which ought to be more precious to us than our whole Eſtates and Lives) which we have ſolemnly devoted to the defence of this Cauſe) be utterly loſt for want of ſome further Supply to cloſe and perfect the work in a ſafe and honourable way, whereby all theſe may be ſaved, and the Moneys already advanced for this Service be in due time fully repayed.

But when we conſider further, That (notwithſtanding all his Majeſty's Proteſtations, Declarations and Proclamations to the contrary) not only a great number of known Papiſts are entertained and imployed in his Majeſty's Army, who have actually levied War againſt the King and Parliament, but Commiſſions have iſſued under the Great Seal of *England*, to the Earl of *Worceſter*, and to the Earl of *Newcaſtle*, by means whereof many thouſands of profeſſed Papiſts (whoſe very Principles of Religion do ingage them to Rebellion and ſhedding the Blood of all Proteſtants, and therefore ought not by the Laws to be entruſted with Arms in their own Houſes, nor to come within the Verge of his Majeſty's Court) are gathered into great Bodies, and do actually bear Arms againſt the King, Parliament and Kingdom, and have plundered, robbed, pillaged, and murthered very many of his Majeſty's good Proteſtant Subjects in the Northern parts, beſides ſundry other places of this Kingdom; which Armies of Papiſts do daily encreaſe by the acceſſion of many Arms and Popiſh Commanders from forreign Parts, arriving at *Newcaſtle*, and other Ports, and joyning themſelves with thoſe profeſſed Enemies to our Religion, and to the Laws made to guard it, and to ſuppreſs or prevent their frequent Treaſons and Rebellions; and that it is notoriouſly known, that the Rebels in and about *Newcaſtle*, under the Command of the Earl of *Newcaſtle*, do lay very great Impoſitions upon every Ship-lading of Coals exported thence for the uſe of the City of *London*, and other places of this Kingdom; and if theſe Impoſitions be not paid, ſtay is made of their Coal-ſhips, and ſome of them are compelled over Sea, to fetch in more Men, Arms and Ammunition, to furniſh the ſaid Popiſh Army, againſt us and our Religion, by which means a great dearth of Coals muſt inevita-

An. 1642.

bly befal the poor People in and about *London*, that probably may occaſion many dangerous Tumults and Commotions, while the ſaid Popiſh Army is advancing toward *London*, with hope that by this and other their deviliſh Artifices, they may find all in combuſtion here, whereby they may with leſs reſiſtance pillage and ſack this City, cut the Throats of all Men of Eſtates, and raviſh their Wives and Daughters without difference (for Papiſts, in ſuch caſes, never make difference between Friends and Enemies;) yea, ſo inſolent and barbarous are thoſe bloody Enemies become, that (while ſome Men in theſe Parts do cauſleſly murmur and complain if any thing, although it amount not to the thirtieth part of their Eſtates, be required of them for their own preſervation, as well as for the Publick ſafety) theſe Popiſh Rebels violently ſeize upon the Perſons of ſo many Men of Quality and Wealth as they can, although no Enemies to their Cauſe, and compel them to redeem themſelves; ſome at one thouſand pound, ſome at two thouſand pound, ſome at three thouſand pound a Man, inforcing others to bring in large Contributions to the ſupply of their Army, even to the one half and more of ſome of their Eſtates, and exacting the ſame with ſuch rigour, that the Miſeries under which their Friends, as well as others, do groan and mourn, without relief or pity, cannot be ſufficiently expreſſed. Upon all which Conſiderations we cannot but declare, That we have juſt cauſe to ſuſpect, that however they abuſed his Majeſty ſo far, as to obtain ſuch illegal Commiſſions to levy Forces upon pretence of aſſiſting his Majeſty; yet having gotten power and ſtrength into their hands, they will not lay down their Arms, even when his Majeſty ſhall have laid down his, unleſs they may give Laws to the King and Parliament, for Toleration of their Superſtition and Idolatry, and the Abrogation of all Laws made againſt it, but will proceed with Fire and Sword to root out our Religion, and all that profeſs it, as they have already begun, and ſtill proceed to do in *Ireland*, if there be not a good proviſion of Treaſure to maintain and ſupport our Army, not only during the time of Treaty, but until ſuch time as the ſaid Popiſh Army be diſſolved, and the Papiſts ſufficiently ſecured from Ability and Opportunity to diſturb that bleſſed Peace and Settling of our Religion and Laws, which now through God's bleſſing may be happily obtained, as it is unfeignedly and earneſtly deſired by us: We therefore the Lords and Commons now aſſembled in Parliament, for the more ſpeedy and effectual Proviſion of Moneys to be imployed in quenching this unnatural and bloody War now kindled, not only in the heart, but in almoſt all parts of this Kingdom at once, by thoſe Papiſts, perſons Popiſhly affected, Traitors and Delinquents about his Majeſty, (who have already made this flouriſhing Nation to become a Field of Blood) have in the firſt place begun a new Subſcription, and again Aſſeſſed our ſelves towards the raiſing of ſuch a conſiderable Sum of Money, as of neceſſity muſt be forthwith advanced for the purpoſe aforeſaid, albeit many of us be exceedingly prejudiced in our Eſtates, by plundering, pillaging, and forced Contribution to thoſe Enemies of the King and Kingdom in places where any of our Eſtates lie, and our reſpective Lands are ſituated, beſides the great Charge and Loſſes ſuſtained by our long Attendance upon the Publick Service of the King and Kingdom: And having by this our Example recommended this Work to be further advanced and carried on by all others, who are touched with any ſenſe of Piety to God, and their native Country, now in a flame, or of zeal to the true Religion profeſſed amongſt us, or of Conſcience in making good their ſolemn Proteſtation and Vow already made to Almighty God, we do further order and require, That the ſeveral perſons hereunder named, or any three or more

18 *Caroli.*

more of them, do forthwith ſummon all the Inhabitants, and other Reſiants within
which they, or any three, or more of them ſhall think fit to be ſummoned: And do likewiſe repair unto the ſeveral Houſes or Places of abode of all the Inhabitants, and other Reſiants, or Sojourners within the ſaid
which they, or any three, or more of them ſhall think fit to be repaired unto; And in the name of both Houſes of Parliament do give hearty Thanks to ſo many of them (whether ſummoned or repaired unto) as have already contributed by way of Loan, or Gift, any Money, Plate, Horſe, or Arms, according to the Propoſitions of both Houſes of Parliament, heretofore publiſhed in that behalf, or otherwiſe, aſſuring all and every of them, that the ſaid Houſes are very ſenſible of their Alacrity and Duty therein, and do reſolve to be as careful of their Safety, Welfare, and Reimburſement, as of their own, and to live and die with them in this Cauſe: And likewiſe, that the ſaid perſons hereunder named, or any three, or more of them, do acquaint not only thoſe, but eſpecially the reſt of the ſaid Inhabitants, who have not yet contributed, with the further urgent neceſſity of new Subſcriptions for Plate and Money, ſtill preſſing beyond former expectation, and accordingly deſire and ſtir up them, and every of them, to under-write in a Book provided for that purpoſe (and wherein their Names ſhall be regiſtred whether they under-write or no) ſuch Sums of Money and Plate, as may teſtifie their real and further performance of their late Proteſtation and ſacred Vow to Almighty God, and of their readineſs to joyn with the reſt of the Well-affected Party of the Kingdom, and with us the Lords and Commons, who are reſolved to purſue this Work with our Lives, Perſons and Eſtates, for their preſervation as well as for our own: And becauſe the ſucceſs of this further levy of Money depends much upon the ſpeedy bringing in thereof; It is therefore further Ordered, That all ſuch Perſons as ſhall hereupon ſubſcribe as aforeſaid, be deſired by the Parties imployed to take their Subſcriptions, inſtantly to bring in one fourth part of the ſaid Money and Plate ſubſcribed by each of them reſpectively, to the Treaſurers for Money and Plate formerly appointed in the *Guildhall, London*, who ſhall thereupon give Receipts for the ſame in manner and form already uſed: And that the ſecond fourth part of their ſaid Subſcription be likewiſe brought in to the Perſons and Places aforeſaid, at the end of one Month next after their Subſcriptions: And the third fourth part be accordingly brought in at the end of the ſecond Month after their ſaid Subſcriptions: And the laſt payment at the end of the third Month next after their ſaid Subſcriptions. And for the eaſe of ſuch Men ſo ſubſcribing, whoſe occaſions will not permit them to make their ſeveral payments at *Guildhall*, at the times aforeſaid, it is further ordered, That the ſaid Parties imployed to take their ſaid Subſcriptions, or any two or more of them ſhall demand and receive of the ſaid Perſons ſubſcribing, the ſeveral and reſpective ſums ſo ſubſcribed and in arrear and unpaid by the ſpace of ſix days after the ſeveral times of payment, ſhall be reſpectively commenced and expired, and ſhall give Acquittances for the ſame in manner and form appointed and uſed upon the former Subſcriptions of Money and Plate: For all which both Houſes of Parliament do hereby ingage the Publick Faith of the Kingdom, That they ſhall be repaid with Eight pounds *per cent.* allowance for the ſame, according to the ſaid former Propoſitions. And if any thing not mentioned in this Declaration and Order may conduce to the more effectual promoting of this new Subſcription, and the Receipt thereof, the ſame is hereby referred to the wiſdom and care of the Committee of

An. 1642. Lords and Commons for Advance of Money and other Neceſſaries for the Army, to be proſecuted and improved with effect.

And laſtly, it is ordered, That this Declaration and Order be Printed and Publiſhed.

J. Browne Cler. Parliamentorum.

A Declaration and Ordinance of the Lords and Commons in Parliament, for the Defence and Preſervation of the Inhabitants within the County of Lincoln, *and Peace and Quiet of the ſaid County.*

THE Lords and Commons now in Parliament aſſembled, being certainly informed, That Papiſts and other wicked and ill-affected perſons, have traiterouſly combined together, and entred into Aſſociation, and have raiſed, and daily do raiſe great Forces both of Horſe and Foot, in ſeveral Counties of this Kingdom, and are at this preſent in a great Body together, under the Command of *William* Earl of *Newcaſtle* in the Counties of *York* and *Nottingham*, where they have plundered, ſpoiled and deſtroyed Multitudes of his Majeſty's good Subjects, and if not timely prevented, will utterly ſubvert and deſtroy the true Proteſtant Religion (which is their chief deſign) the Laws of the Land, the Priviledges of Parliament, and the Liberty of the Subjects; The ſaid Lords and Commons do declare, That they hold it a thing moſt fit and neceſſary for the ſtate of this Kingdom, and for the better ſecuring of the County of *Lincoln*, City of *Lincoln*, and County of the ſame, Towns Corporate, and Parts adjacent to the ſaid County, and accordingly Order and Ordain, That *Francis* Lord *Willoughby*, Lord Lieutenant of the ſaid County of *Lincoln*, and the Committees of Parliament for the Propoſitions of Subſcriptions of Money, Horſe and Plate for the ſaid County, City of *Lincoln*, and County of the ſame, the High-Sheriff of the County of *Lincoln* for the time being, the Maior of *Boſton*, Alderman of *Grantham* and *Soake*, and the Alderman of *Stamford*, for the time being, and all Bailiffs of Liberties, and Towns-Corporate within the ſaid County, and all Colonels, Lieutenant-Colonels, Serjeant-Majors, and other Captains and Officers, and all other well-affected Perſons within the ſaid County, City of *Lincoln*, and County of the ſame, and Parts adjacent, ſhall and may Aſſociate themſelves, and mutually aid and ſuccour, and aſſiſt one another in the mutual preſervation and defence of themſelves, and the Peace of the ſaid County of *Lincoln*, City of *Lincoln*, and the County of the ſame, and all other Towns-Corporate within the ſaid County, from all Rapine, Plundering, and Spoilings of the ſaid Papiſts and Ill-affected Perſons, as well under the Command of the ſaid *William* Earl of *Newcaſtle*, as any other of his and their Adherents. And it is further Ordered, Ordained and Declared, That the ſaid Lord Lieutenants, Committees of Parliament, Colonels, Lieutenant-Colonels, Serjeant-Majors, Captains, and other Officers, have Power and Authority to raiſe Forces of Horſe and Foot, and to lead them into any place which ſhall be fitting and convenient, and to give battel, and to fight with all ſuch as are, or ſhall be raiſed to levy War againſt the Parliament, and all other Forces raiſed without Authority and Conſent of both Houſes of Parliament, that make any Inſurrection and Plunder, or deſtroy his Majeſty's good Subjects, and them to invade, reſiſt, ſuppreſs, ſubdue, and purſue, kill, and ſlay, and put to execution of death, and by all means to deſtroy, as Enemies to the Kingdom, and to perform all things elſe need-

needful for the preſervation of the Safety and Peace of the ſaid County, City of *Lincoln*, and County of the ſame, with the reſt of the Towns Corporate within the ſaid County and Parts adjacent; Obſerving from time to time ſuch other Directions and Commands as they ſhall receive from both Houſes of Parliament, or from the Earl of *Eſſex* Lord General, or the Lord *Fairfax*, General of the Forces in the Northern Parts, with whom the ſaid County of *Lincoln* is already Aſſociated: And that all the ſaid Perſons and other Inhabitants for ſo doing, ſhall be ſaved and kept harmleſs by the Power and Authority of Parliament: And the ſaid Lords and Commons taking into their ſerious Conſideration the neceſſity of appointing a Commander in chief over the Forces, which are or ſhall be raiſed in the ſaid County, City, and County of the ſame, for the Service aforeſaid; in regard that by particular Commiſſions already granted to perſons in the ſaid County, there was no power given to lead Forces out of their own County, it is Ordered and Ordained, That the Lord General, the Earl of *Eſſex*, ſhall be deſired to grant a Commiſſion to ſuch a Perſon as he ſhall think fit to Command in chief, as General of all the Forces raiſed, or to be raiſed in the ſaid County and City of *Lincoln*, and County of the ſame, and Parts adjacent, and have power to Lead, Command, and carry the ſame to ſuch Places within the ſaid County, City of *Lincoln*, and Parts adjacent, as he ſhall think fit, for the defence thereof; and likewiſe power to give the ſame Order and Inſtructions in his ſaid Excellency's Abſence, for regulating the Soldiers, which are or ſhall be under his Command, as his Excellency hath given to his Army, and to uſe Martial Law to compel Obedience thereunto, as occaſion ſhall require, and alſo power and authority to make and appoint all Officers for levying, conducting, and leading the ſaid Forces, as he ſhall think fit. 18 *Caroli.*

The Inſtructions to the Lord *Willoughby*, Lord Lieutenant of the County of *Lincoln*, and the Committees of Parliament there, being in Effect the ſame with thoſe given to *Warwick* before-recited, are therefore here omitted.

An Order of both Houſes for the removing the Priſoners out of *Lincoln-Caſtle*, and for the ſpeedy fortifying of the ſame.

Die Lunæ, Januar. 9. 1642.

IT is this day ordered by the Lords and Commons in Parliament, That the High Sheriff of the County of Lincoln, *for the time being, one* Smith *Goaler and Keeper of the Caſtle of* Lincoln, *ſhall be forthwith required to remove his Priſoners out of the ſaid Caſtle of* Lincoln, *to ſome ſafe and ſecure place; and for the preſent (if a more convenient Houſe cannot be had) the ſaid* Smith *is hereby authoriſed to remove his ſaid Priſoners to the Biſhop of* Lincoln's *Houſe, near the ſaid Caſtle, commonly called the* Biſhop's Palace, *and to reſign and deliver up the ſaid Caſtle into the hands of the Earl of* Lincoln, *or ſuch as he ſhall appoint for the ſafe keeping of the ſaid Caſtle, and better ſecurity of the City of* Lincoln.

Joh. Browne Cler. Parl.

To

An. 1642.

To the King's moſt Excellent Majeſty.

The Humble Petition of the Mayor, Aldermen and Commons of the City of *London*.

Sheweth,

A Petition from the City of *London*, preſented to the King at *Oxford*, by a Committee of Aldermen and Commons.

THat the Petitioners, your Majeſty's moſt humble and loyal Subjects, being much pierced with the long and great diviſions between your Majeſty and both your Houſes of Parliament, and with the ſad and bloody effects thereof, both here and in Ireland, *are yet more deeply wounded by the miſapprehenſion which your Majeſty ſeemeth to entertain of the Love and Loyalty of this your City, as if there were ſome cauſe of fear or ſuſpition of danger to your Royal Perſon, if your Majeſty ſhould return hither; and that this is made the unhappy bar to that bleſſed Reconciliation with your great and moſt faithful Councel, for preventing that deſolation and deſtruction which is now moſt apparently imminent to your Majeſty and all your Kingdoms.*

For ſatisfaction therefore of your Majeſty, and clearing of the Petitioners Innocency, they moſt humbly declare, (as formerly they have done) That they are no way conſcious of any Diſloyalty, but abhor all thoughts thereof; and that they are reſolved to make good their late ſolemn Proteſtation and ſacred Vow made to Almighty God, and with the laſt drop of their deareſt Bloods, to defend and maintain the true reformed Proteſtant Religion, and, according to the duty of their Allegiance, your Majeſty's Royal Perſon, Honour and Eſtate, (whatſoever is maliciouſly and falſly ſuggeſted to your Majeſty to the contrary) as well as the Power and Priviledges of Parliament, and the lawful Rights and Liberties of the Subject; and do hereby ingage themſelves, their Eſtates, and all they have to their uttermoſt power, to defend and preſerve your Majeſty and both Houſes of Parliament from all Tumults, Affronts and Violence, with as much Loyalty, Love and Duty, as ever Citizens expreſſed towards your Majeſty, or any of your Royal Progenitors, in their greateſt Glory.

The Petitioners therefore, upon their bended Knees do moſt humbly beſeech your Majeſty to return to your Parliament (accompanied with your Royal, not Martial Attendance;) to the end, that Religion, Laws, and Liberties may be ſettled and ſecured, and whatſoever is amiſs in Church and Commonwealth, reformed by their Advice, according to the fundamental Conſtitution of this Kingdom; and that ſuch a Peace may thereby be obtained, as ſhall be for the Glory of God, the Honour and Happineſs of your Majeſty and Poſterity, and welfare of all your Loyal Subjects, who (the Petitioners are fully aſſured) whatſoever is given out to the contrary, do unanimouſly deſire the Peace herein expreſſed.

And the Petitioners ſhall ever pray, &c.

MICHELL.

His Majeſty hath graciouſly conſidered this Petition, and Returns this Anſwer.

The King's Anſwer.

THat his Majeſty doth not entertain any miſapprehenſion of the Love and Loyalty of his City of *London*; as he hath always expreſſed a ſingular regard and eſteem of the affections of that City, and is ſtill deſirous to make it his chief place of Reſidence, and to continue and renew many Marks of his Favour to it, ſo he believes much the better and greater part of that his City is full of Love, Duty and Loyalty to his Majeſty; and

and that the Tumults which heretofore forced his Majeſty for his ſafety to leave that place, though they were contrived and encouraged by ſome principal Members thereof (who are ſince well known, though they are above the reach of Juſtice) conſiſted more of deſperate Perſons of the Suburbs, and the neighbouring Towns (who were miſled too by the cunning and malice of their Seducers) then of the Inhabitants of that City. He looks on his good Subjects there, as perſons groaning under the ſame burthen which doth oppreſs his Majeſty, and awed by the ſame perſons who begat thoſe Tumults, and the ſame Army which gave Battel to his Majeſty. And therefore as no good Subject can more deſire from his Soul a compoſure of the general Diſtractions, ſo no good Citizen can more deſire the Eſtabliſhment of the particular peace and proſperity of that place, by his Majeſty's Acceſs thither, then his Majeſty himſelf doth. 18 *Caroli.*

But his Majeſty deſires his good Subjects of *London* ſeriouſly to conſider, what confidence his Majeſty can have of ſecurity there, whilſt the Laws of the Land are ſo notoriouſly deſpiſed and trampled under foot, and the wholſome Government of that City (heretofore ſo famous over all the World) is now ſubmitted to the Arbitrary power of a few deſperate perſons of no Reputation, but for Malice and Diſloyalty to him; whilſt Arms are taken up, not only without, but againſt his Conſent and expreſs Command, and Collections publickly made, and Contributions avowed for the maintenance of the Army which hath given him Battel, and therein uſed all poſſible means Treaſon and Malice could ſuggeſt to them to have taken his Life from him, and to have deſtroyed his Royal Iſſue; whilſt ſuch of his Majeſty's Subjects, who out of Duty and Affection to his Majeſty, and compaſſion of their bleeding Country, have labour'd for Peace, are reviled, injured and murthered, even by the Magiſtrates of that City, or by their directions. Laſtly, what hope his Majeſty can have of ſafety there, whilſt Alderman *Pennington*, their pretended Lord Mayor, (the principal Author of thoſe Calamities, which ſo nearly threaten the Ruine of that famous City, *Ven*, *Foulke*, and *Manwairing*, (all perſons notoriouſly guilty of Schiſm and High Treaſon) commit ſuch Outrages in oppreſſing, robbing and impriſoning, according to their Diſcretion, all ſuch his Majeſty's loving Subjects, whom they are pleaſed to ſuſpect but for wiſhing well to his Majeſty. And his Majeſty would know, whether the Petitioners believe that the reviling and ſuppreſſing the Book of Common Prayer, (eſtabliſht in this Church ever ſince the Reformation) the diſcountenancing and impriſoning godly, learned and painful Preachers, and the cheriſhing and countenancing of *Browniſts*, *Anabaptiſts*, and all manner of Sectaries, be the way to defend and maintain the true reformed Proteſtant Religion? That to comply with and aſſiſt perſons who have actually attempted to kill his Majeſty, and to allow and favour Libels, Paſquils, and ſeditious Sermons againſt his Majeſty, be to defend his Royal Perſon and Honour, according to the Duty of their Allegiance? Whether to impriſon mens Perſons, and to plunder their Houſes, becauſe they will not Rebel againſt his Majeſty, nor aſſiſt thoſe that do? Whether to deſtroy their Property by taking away the Twentieth part of their Eſtates from them, and by the ſame Arbitrary Power to refer to four ſtanders by of their own Faction, to judge what the Twentieth part is, be to defend the lawful Rights and Liberties of the Subject? And if they think theſe Actions to be Inſtances of either, whether they do not know the perſons before-named to be guilty of them all? Or whether they think it poſſible, that Almighty God can bleſs that City, and preſerve it from deſtruction, whilſt perſons of ſuch known guilt and wickedneſs, are defended and juſtified amongſt them, againſt the power of that Law by which they can only ſubſiſt.

His

An. 1642.

His Majeſty is ſo far from ſuffering himſelf to be incenſed againſt the whole City, by the actions of theſe ill men, though they have hitherto been ſo prevalent as to make the Affections of the reſt of little uſe to him; and is ſo willing to be with them, and to protect them, that the Trade, Wealth and Glory thereof (ſo decayed and eclipſed by theſe publick Diſtractions) may again be the Envy of all forreign Nations, That he doth once more graciouſly offer his free and general Pardon to all the Inhabitants of that his City of *London*, the Suburbs, and City of *Weſtminſter*, (except the perſons formerly excepted by his Majeſty) if they ſhall yet return to their Duty, Loyalty and Obedience. And if his good Subjects of that his City of *London*, ſhall firſt ſolemnly declare, That they will defend the known Laws of the Land, and will ſubmit to, and be governed by no other Rule; if they ſhall firſt manifeſt, by defending themſelves, and maintaining their own Rights, Liberties and Intereſts, and ſuppreſſing any force and violence unlawfully raiſed againſt thoſe and his Majeſty, their power to defend and preſerve him from all Tumults, Affronts and Violence: Laſtly, if they ſhall apprehend and commit to ſafe Cuſtody the perſons of thoſe four men, who enrich themſelves by the ſpoil and oppreſſion of his loving Subjects, and the ruine of the City, that his Majeſty may proceed againſt them by the courſe of Law, as guilty of High Treaſon, his Majeſty will ſpeedily return to them with his Royal, and without his Martial Attendance, and will uſe his utmoſt endeavour, that they may hereafter enjoy all the Bleſſings of Peace and Plenty, and will no longer expect obedience from them, then he ſhall, with all the Faculties of his Soul, labour in the preſerving and advancing the true reformed Proteſtant Religion, the Laws of the Land, the Liberty and Property of the Subjects, and the juſt Priviledges of Parliament.

If notwithſtanding all this, the Art and Intereſt of theſe men can prevail ſo far, that they involve more men in their guilt, and draw that his City to ſacrifice its preſent Happineſs and future Hopes to their Pride, Fury and Malice, his Majeſty ſhall only give him this Warning, That whoſoever ſhall henceforward take up Arms without his conſent, contribute any Money or Plate, upon what pretence of Authority ſoever, for maintenance of the Army under the command of the Earl of *Eſſex*, or any other Army in Rebellion againſt him, or ſhall pay Tunnage and Poundage, till the ſame ſhall be ſettled by Act of Parliament; every ſuch perſon muſt expect the ſevereſt puniſhment the Law can inflict; and in the mean time his Majeſty ſhall ſeize upon any part of his Eſtate within his power, for the relief and ſupport of him and his Army, raiſed and maintained for the Defence of his Perſon, the Laws, and this his Kingdom: And ſince he denies to his Majeſty the duty and benefit of his Subjection, by giving Aſſiſtance to Rebels, which by the known Laws of the Land is High Treaſon, his Majeſty ſhall likewiſe deny him the benefit of his Protection, and ſhall not only ſignifie to all his forreign Miniſters, that ſuch perſon ſhall receive no advantage by being his Subject, but ſhall by all other ways and means proceed againſt him as a publick Enemy to his Majeſty and this Kingdom.

But his Majeſty hopes, and doubts not, but his good Subjects of *London* will call to mind the Acts of their Predeceſſors, the Duty, Affection, Loyalty and Merit towards their Princes, the Renown they have had with all Poſterity for, and the Bleſſing of Heaven which always accompanied thoſe Vertues, and will conſider the perpetual Scorn and Infamy, which avoidably will follow them and their Children, if infinitely the meaner part in quality, and much the leſſer part in number, ſhall be able to alter the Government ſo admirably eſtabliſhed, deſtroy the Trade ſo excellently

ly ſettled, and to waſte the Wealth ſo induſtriouſly gotten of that flouriſhing City; and then they will eaſily gather up the Courage and Reſolution to joyn with his Majeſty in Defence of that Religion, Law and Liberty, which hitherto hath and only can make themſelves, his Majeſty, and his Kingdom happy. 18 *Caroli.*

For concurring with the Advice of his two Houſes of Parliament, which with reference to the Commonwealth, may be as well at this diſtance, as by being at *Whitehall*, his Majeſty doubts not but his good Subjects of *London* well know how far (beyond the Example of his Predeceſſors) his Majeſty hath concurred with their Advice, in paſſing of ſuch Laws, by which he willingly parted with many of his known Rights for the benefit of his Subjects, which the Fundamental Conſtitutions of this Kingdom did not oblige him to conſent unto, and hath uſed all poſſible means to beget a right underſtanding between them; and will therefore apply themſelves to thoſe, who, by making juſt, peaceable and honourable Propoſitions to his Majeſty can only beget that concurrence.

This Petition was preſented to his Majeſty at *Oxford* by two Aldermen and four Commoners, *viz.* Sir *George Clarke*, Sir *George Garret*, Mr. *Bateman*, Mr. *Peter Jones*, Mr. *Rhemes* and Mr. *Henly*, who received the aforeſaid Anſwer thereunto, encloſed under Seal, with expreſs command that it ſhould be read at a Common-Hall in *London*; and his Majeſty appointed *Henry Heron* Eſq; (Son to Sir *Edward Heron* of *Lincolnſhire*) to go along with them to *London* to ſee the ſame performed accordingly; which was done on *Friday* the 13th of *January*; at which time a Committee of Lords and Commons was ordered to be preſent at *Guildhall*; and after the Reading of his Majeſty's Anſwer, theſe following Speeches were made.

The Earl of *Mancheſter's* Speech.

MY Lord Mayor and Gentlemen, you of the City of London, *this Aſſembly can never be looked upon by any Members of both Houſes of Parliament, but there muſt be ſome offering of gratitude made to you, both of Thanks and Acknowledgment for your former large-hearted Expreſſions, both of Affection and Care for the preſervation both of the Parliament and Kingdom: The occaſion why my Lords, and theſe Gentlemen of the Houſe of Commons, are come hither, is this, They have read an Anſwer to an humble Petition of the Lord Mayor and Common Councel and Citizens of* London *to his Majeſty: In which Anſwer, they find many wounding Aſperſions caſt upon perſons of very eminent Authority in your City, and upon others of very great fidelity and truſt among you. This Anſwer they do find, as it is printed, to agree with that which the Gentleman from his Majeſty hath here read; and they owning themſelves equally intereſſed (in all things that concern you) with you, have commanded* this Gentleman to make ſome Obſervations by way of Vindication, both of the proceedings of both Houſes of Parliament, and of the proceedings of the City, with this Aſſurance, That they will never deſert you, but will ſtand by you with their Lives and Fortunes for the preſervation of the City in general, and thoſe perſons in particular, who have been faithful, and deſerved well both of the Parliament and Kingdom, and they will purſue all means, both with their Lives and Fortunes, that may be for the preſervation of this City, and for the procuring of Safety, Happineſs and Peace to the whole Kingdom.*

* Mr. *Pym.*

Then Mr. *Pym* ſpake as followeth:

Mr. *Pym's* Speech.

MY Lord Mayor, and you worthy Citizens of this noble and famous City of London, *I am commanded by the Lords and Commons, to let you know, That in this Anſwer which hath been publiſhed to you, they do obſerve*

An. 1642.

many things of great aſperſion upon the proceedings of Parliament, and very ſcandalous and injurious to many particular Members of this City, whereupon they think that it becomes them, both in tenderneſs of their own honour, and reſpect to you, to take away all theſe Aſperſions, and to let you know the truth of their proceedings, which have been full of Honour and Juſtice, as they ſtand in relation to their own duty, and full of Humility and Obedience towards his Majeſty, and of care for the common good, and ſo ſhall ever be: And they have commanded me to let you know the true Anſwer to moſt of thoſe things that are imputed either to the Parliament, or to the City, by obſerving ſome particulars of this Book which hath been read to you, and to let you know the proceedings in their own native condition, clear from thoſe miſrepreſentations which makes them appear in a quality much different from the truth; which before I enter into, I am to declare as the ſenſe of both Houſes, That your Petition was ſo full of Loyalty, Humility and Obedience, that you might well have expected an Anſwer of another kind.

The firſt Obſervation I am to make you, is this; that it is ſaid here, That his Majeſty was inforced by Tumults to leave the Parliament, and go from *Whitehall*, and to withdraw himſelf into thoſe Courſes which now he hath taken.

In anſwer thereunto, I am commanded to tell you, That there was no occaſion given by any Tumults riſing out of this City or the Suburbs, which might juſtly cauſe his Majeſty's departure; and you may very well remember, that after his violent coming to the Commons Houſe of Parliament in that unuſual and unheard of manner (which was the beginning of theſe unhappy differences) that the very next day his Majeſty came into the City without any Guard, that he was preſent at the Common Councel, din'd at the Sheriffs, and returned back again, with manifold Evidences of fidelity on the part of the City, and without any ſuch expreſſions as were unbeſeeming the Majeſty of a King, or the Duty of Subjects: That he reſided divers days at Whitehall, *and afterward at* Hampton Court, Windſor, *and places adjoyning, with ſmall Forces about him, and yet never any Attempt made which might give him any apprehenſion of fear. By all which it is manifeſt, that this is an unjuſt Aſperſion caſt upon this City, that any tumultuous carriage of yours, was the occaſion of his Majeſty's leaving the Parliament, and withdrawing himſelf to remoter parts.*

It is affirmed, That the Government of your City hath been managed by a few deſperate perſons, and that they do exerciſe an Arbitrary Power.]. *In anſwer to which the two Houſes of Parliament gives you this teſtimony, That you have in moſt of the great occaſions concerning the Government of the City, followed their direction, and that direction which they have given, you have executed, and they muſt and will maintain to be ſuch as ſtands with their honour in giving it, and your truſt and fidelity in the performance of it.*

It is objected in the third place, That Contributions have been publickly made for the maintenance of that Army which did joyn Battel with the King, and did by all the means that Treaſon and Malice could ſuggeſt, endeavour to take away his Life, and deſtroy his Iſſue. *To this I am commanded to ſay, That the deſign of bringing up the Engliſh Armies, the gathering together of the Cavaliers about* Whitehall, *the violent coming to the Houſe of Commons, the King's going into the North, and raiſing Arms there, are clear evidences that violence was firſt intended, and divers practices were made againſt the Parliament, before they took any courſe, or made any preparation to take up Arms for their defence. For the danger of his Majeſty's perſon, they were ſorry for it, and did by divers humble Petitions labour to prevent it. And as touching the Royal Iſſue, they have ſufficiently de-*

18 Caroli.

declared to the world their good affections towards them, by the care they have taken both for the ſafety and maintenance of thoſe who are left here.

It is further expreſſed in this Anſwer, That the King demands the Lord Mayor, Mr. Alderman *Fowke*, Col. *Ven*, and Col. *Manwaring*, to be delivered up as guilty of Schiſm and High Treaſon.] *Concerning which, I am commanded to tell you, as the ſenſe of both Houſes of Parliament, That this demand is againſt the priviledge of Parliament (two of them being Members of the Commons Houſe) moſt diſhonourable to the City, That the Lord Mayor of* London *ſhould be ſubjected to the violence of every baſe fellow, be aſſaulted, ſeized on, without due Proceſs or Warrant, which the Law doth afford every private man; and that you ſhould be commanded to deliver up your chief Magiſtrates, and ſuch eminent Members of the City to the King's pleaſure, only becauſe they have done their Duty in adhering to the Parliament, for the defence of the Kingdom; and that it is againſt the Rules of Juſtice, that any men ſhould be impriſoned upon ſuch a general Charge, when no particulars are proved againſt them; and this you are to take notice of as the Anſwer to thoſe Scandals, and to that Diſgrace upon my Lord Mayor, and the other Members of the City.*

And I am further to tell you, That there is little cauſe for his Majeſty to make this demand, conſidering that he himſelf doth by force keep away many accuſed in Parliament, as my Lord Digby, *and many more impeached of High Treaſon, beſides divers other great Delinquents, that ſtand charged there for heinous Crimes, all which by force are kept from the due proceedings, and legal trial in Parliament.*

It is alledged in his Anſwer, That my Lord Mayor, and thoſe other perſons named, are countenancers of *Browniſts* and *Anabaptiſts*, and all manner of Sectaries.] *To this I am commanded to ſay, That hereof there is no proof; it doth not appear that they give any ſuch countenance to Sectaries of any kind whatſoever; and if it did, his Majeſty hath little reaſon to object it, while notwithſtanding the profeſſion he hath often made, That he will maintain the Proteſtant reformed Religion, he doth in the mean time raiſe an Army of Papiſts, who by the Principles of their Religion are bound (if power be put into their hands) to deſtroy and utterly to root out the Proteſtants, together with the Truth which they profeſs.*

It is affirmed, That mens perſons have been impriſoned, and their Houſes plundered, becauſe they will not rebel againſt his Majeſty.] *To this I am commanded to declare. That no man's houſe hath been plundered by any direction of the Parliament, but that they have been very careful to reſtrain all ſuch violent Courſes, ſo far as they were able; and that they have never committed any man, but ſuch men as by due Information they conceived to be ſeditious perſons, and like to trouble the peace of the State.*

It is objected further, That the Property of the Subject is deſtroyed by taking away the twentieth part by an Arbitrary Power.] *To this they ſay, That that Ordinance, it doth not require a twentieth part, but doth limit the Aſſeſſors, that they ſhall not go beyond a twentieth part; and that that this is done by a power derived from both Houſes of Parliament; the Lords, who have an hereditary intereſt in making Laws in this Kingdom, and the Commons, who are elected and choſen to repreſent the whole Body of the Commonalty, and truſted for the good of the People, when ever they ſee cauſe to charge the Kingdom. And they ſay further, That the ſame Law that did enable the two Houſes of Parliament to raiſe Forces to maintain and defend the Safety of Religion, and of the Kingdom, doth likewiſe enable them to require contributions, whereby theſe Forces may be maintained, or elſe it were a vain power to raiſe Forces, if they had not a power likewiſe to maintain them in that Service for which they were raiſed.*

An. 1642.

And to this point I am commanded to add this further Anſwer, That there was little reaſon for this to be objected on his Majeſty's behalf, when it is well known, that from the Subjects (which are within the power of his Army) his Majeſty doth take the full yearly value of their Lands, and in ſome caſes more; that not only particular Houſes, but whole Towns have been plundered by command and deſign; and that by Proclamations men are declared to forfeit all their Eſtates, becauſe they will not obey Arbitrary Commands, and this is commonly practiſed by his Majeſty, and on his part, and therefore there was little reaſon to charge the Parliament with ſo neceſſary and moderate a contribution as the twentieth part.

It is declared, That the King expects to be kept from Tumults and Affronts.] *Upon which I am commanded to obſerve, That his Majeſty's expreſſions in his Anſwer tend to the making of a diviſion in this City, and to the raiſing of a party which may make ſome diſturbance in that orderly Government which is now eſtabliſhed; both which will certainly prove equally deſtructive to him and both Houſes of Parliament, and more prejudicial to his quiet abode here, then any thing that hath ever been acted by the Houſes of Parliament, or the preſent Governours of the City.*

They obſerve further, That in this Anſwer his Majeſty doth profeſs that he will ſeize upon the Eſtates of thoſe that ſhall contribute any thing towards the maintenance of the Parliaments Army, and will put them out of his protection, and by his Miniſters in Forreign States, will take ſuch courſe, that they may be proceeded againſt as Enemies, that is deſtroyed and ſpoiled.] *To which the Lords and Commons do declare, That this is an exceſs of rigour and injuſtice beyond all Example, that particular men ſhould loſe their private Eſtates here without Law or Judicial proceeding. And that our Prince, who owes protection to the Kingdom, as well as to particular perſons, ſhould ſuffer the Wealth thereof to be robbed and ſpoiled by Forraign States; upon due conſideration whereof, they hope his Majeſty will be induced by better Counſel to forbear the Execution, then that by which he hath been perſwaded to publiſh ſuch a Reſolution.*

Beſides theſe Obſervations out of the Anſwer, I am to obſerve one out of a Narrative that was received from the Common Councel, that the King did declare that he would ſend ſome Meſſengers here to obſerve your carriage in the City, and what was done amongſt you, the Parliament have juſt cauſe to doubt, that theſe will be Meſſengers of Sedition and Trouble, and therefore deſires you to obſerve them, and find them out, and that they may know who they are.

I am for a Concluſion to commend to your Conſiderations, That you ſee by the proceedings to which the King is drawn by the ill Counſel now about him, that Religion, the whole Kingdom, this glorious City, and the Parliament are all in great danger, and that this danger cannot be kept off in all likelyhood, but by the Army that is now on foot, and that the Lords and Commons are ſo far from being frighted by any thing that is in this Anſwer, that they have for themſelves and the Members of both Houſes declared a further contribution towards the maintenance of this Army, and cannot but hope and deſire that you who have ſhewed ſo much good affection in the former neceſſities of the State, will be ſenſible of your own, and of the condition of the whole Kingdom, and add to that which you have already done, ſome further Contribution, whereby this Army may be maintained for all your Safeties.

18 *Caroli.*

A Declaration of the Lords and Commons Aſſembled in Parliament, that no Ships make any Voyage to Newcaſtle *until that Town ſhall be reduced into ſuch hands as ſhall declare themſelves for King and Parliament,* January 9. 164$\frac{2}{3}$.

THE Lords and Commons aſſembled in Parliament, taking into their conſideration the number of Ships and quantity of Money that is every year imployed from *London*, and other parts and places of this Kingdom, for the fetching of Coals and Salt from *Newcaſtle*, *Sunderland*, and *Blyth*; and finding that ſince the beginning of the preſent Troubles, that Town of *Newcaſtle*, being poſſeſſed by Forces raiſed againſt the King and Parliament, hath been, and is the principal In-let of Forreign Aid, Forces and Ammunition, for the ſtrengthning of that Force that intends deſtruction to the Parliament, and thereby to the Religion, Laws, and Liberties of this Kingdom; and taking into conſideration, that ſufficient Coals be ſupplied from other parts, for the uſe of this Kingdom, do declare, That they are inforced for the ſafety of the Kingdom, and for the better hindering of the ſupporting of the ſaid Forces, and for the reducing of the Town of *Newcaſtle*, and the parts adjacent, to yield obedience and ſubmiſſion to the commands of the two Houſes of Parliament for the preſent, to hinder the repairing of Ships to *Newcaſtle*, *Sunderland*, and *Blyth*, leſt thoſe Ships and Money which are intended to procure Fewel, for the ſupportation of the Kingdom, be improved to give Vigour and Maintenance to the War, raiſed to the Deſtruction thereof; For prevention whereof, We the Lords and Commons do ordain, That no Ship, Ships, or Barques, ſhall from henceforth make any Voyage for the fetching of Coals or Salt from *Newcaſtle*, *Sunderland*, or *Blyth*, or carrying of Corn, or other Proviſion of Victual, until that Town of *Newcaſtle* ſhall be freed of, and from the Forces there now raiſed, or maintained againſt the Parliament, and the Town be reduced into ſuch hands, and condition, as ſhall declare themſelves for King and Parliament; and the Maſters, Owners, and Sailors of Ships and Barques, are hereby required, not to preſume to go that Voyage contrary to this Ordinance: And it is further Ordained and Ordered, That if any Ship, Veſſel, or Barque, ſhall at any time after the firſt day of *February* next comming Import, or bring into any Port or Place of this Kingdom, any Coals or Salt laden from *Newcaſtle*, *Sunderland*, and *Blyth*, or any of them, until further Order be taken by both Houſes of Parliament, that every ſuch Ship, Veſſel, and Barque, and the Maſter and Saylors in the ſame, ſhall be ſeized upon, and ſtayed in ſuch Port and Place where they come in, until the two Houſes of Parliament being thereof Informed, ſhall take further Order and Direction therein.

Two Orders made by the Houſe of Commons in Parliament Aſſembled, January 16. 164$\frac{2}{3}$.

THE one prohibiting, That no Carriers or Wagoners whatſoever, ſhall be permitted hereafter to go to *Oxford*, or elſewhere, without ſpecial Licenſe from the Parliament.

The other, That if any Agent, or Servant to any perſon that bears Arms againſt the Parliament, ſhall preſume to come to *Weſtminſter*, or reſide about *London*, ſhall be forthwith apprehended as a Spy, and proceeded againſt accordingly.

Die

An. 1642.

Die Lunæ 16 *Januarii*, 1642.

IT is this day Ordered by the Commons Houſe of Parliament, That no Carriers, Waggoners, Carts or Waggons, or Horſes laden with any Commodities whatſoever, ſhall be permitted hereafter to go from hence or elſewhere to Oxford, *or any part of the Kings Army, with any manner of Proviſions, without the ſpecial Licenſe and Authority of this Houſe firſt had and obtained; And if they do preſume notwithſtanding to go or carry any thing, that then their perſons and goods ſhall be ſeized upon, and kept in ſafe cuſtody, till this Houſe take further Order. And Col.* Moore *is to take care, that ſtrict command be given to all the Courts of Guard to make ſtay of them accordingly, and to bring the perſons ſtaid before him, to the intent they may be brought to this Houſe; and that diligent ſearch be made for any Moneys that may be carried or conveyed by any perſon to* Oxford.

Die Lunæ 16 *Januarii*, 1642.

IT is this day Ordered by the Commons now aſſembled in Parliament, That if the Agent or Servant to any perſon that bears Arms againſt the Parliament, ſhall preſume hereafter to come to Weſtminſter, *or reſide here about* London, *That he ſhall be forthwith apprehended as a Spy, and be proceeded againſt accordingly; and all perſons are required to do their endeavour for the diſcovery of ſuch perſons as ſhall hereafter come to the Parliament Houſe or* Weſtminſter, *or any parts about* London, *that they may be apprehended accordingly.*

An Ordinance of the Lords and Commons aſſembled in Parliament for the Aſſeſſing all Men of Ability within the Counties of Northampton, Leiceſter, Derby, Rutland, Nottingham, Huntington, Bedford, *and* Buckingham, *that have not contributed upon the Propoſitions of both Houſes of Parliament; and they to be rated and aſſeſſed in like ſort as was the* 400000 l *by an Act of this preſent Parliament*, Jan. 16. 164$\frac{2}{3}$.

THe Lords and Commons now in Parliament aſſembled, being certainly informed that Papiſts and other wicked and ill-affected perſons, have traiterouſly combined together, and entred into Aſſociation, and have raiſed, and daily do raiſe great Forces both of Horſe and Foot in ſeveral Counties of this Kingdom, and have plundred, ſpoiled, and deſtroyed multitudes of his Majeſty's good Subjects, and if not timely prevented, will utterly ſubvert and deſtroy the true Proteſtant Religion, which is their chief deſign, the Laws of the Land, the Priviledges of Parliament, and the Liberty of the Subject.

The ſaid Lords and Commons having formerly declared, That they held it fit and neceſſary for the Counties of *Northampton*, *Leiceſter*, *Derby*, *Rutland*, *Nottingham*, *Huntington*, *Bedford*, and *Buckingham*, to aſſociate for the mutual defence in purſuance of the ſame, and for the better preventing of the ſpoiling and plundring of the ſaid Counties, and the parts adjacent, and to have further means for the furniſhing of Arms and Ammunition, making of Fortification, and payment of the Garriſons, Officers and Soldiers, and other neceſſary Charges, that there be forthwith raiſed in

18 *Caroli.*

in the ſaid ſeveral Counties reſpectively, and in the Corporations, Conſtablaries, and Pariſhes thereof, ſuch ſums of Money as ſhall neceſſarily be disburſed and diſpended for the uſes aforeſaid; The ſame ſum to be rated and aſſeſſed in like ſort as was the 400000 *l.* granted by Act this preſent Parliament, wherein the perſons who have not ſubſcribed to the Parliaments late Propoſitions ſhall be aſſeſſed, and their Aſſeſſments levied in ſuch ſort, as by the Ordinance late made for the City of *London*, and the parts adjacent, ſuch like perſons are to be aſſeſſed, and their Aſſeſſments levied. And for the better levying of the ſaid Sums of Money, the ſaid Committee named in the Ordinance of Aſſociation of the ſaid Counties reſpectively, or any three or more of them, ſhall or may aſſeſs and tax, or cauſe to be aſſeſſed or taxed the ſaid ſums upon the ſaid ſeveral Counties, and the Corporations, Towns, Conſtablaries and Pariſhes within the ſame, in like manner as is aforeſaid; and that they or any three or more of them, nominate and appoint Treaſurers, Collectors, and Aſſeſſors in every the ſaid Counties, for aſſeſſing, receiving, and collecting the ſaid ſums of Money, and ſhall and may grant Warrants under their Hands and Seals in writing to any Conſtable or other Officer whatſoever, to raiſe and levy the ſaid ſums ſo to be aſſeſſed and taxed as aforeſaid, upon all ſuch perſons upon whom any ſuch ſums ſhall be ſo aſſeſſed and ſet, that do refuſe or neglect to pay the ſame; It ſhall and may be lawful to and for the ſaid Aſſeſſors, or any other perſon to whom Warrants by the Committees reſpectively ſhall be granted, to levy the ſaid ſums ſo aſſeſſed by way of diſtreſs and ſale of the Goods of the perſons ſo aſſeſſed and refuſing: And if any perſon ſo diſtrained ſhall make reſiſtance, it ſhall and may be lawful to and for the reſpective Committees to ſend any of the Trained Bands or other Soldiers of the reſpective Counties aforeſaid, to compel the ſaid Parties ſo refuſing to obedience of this Ordinance. And in caſe no diſtreſs is or may be found, then the reſpective Committees aforeſaid, or any three or more of them ſhall or may commit ſuch perſon and perſons refuſing to pay as aforeſaid, to ſome common Goal, there to remain until payment made of ſuch ſum and ſums as aforeſaid. For which ſums of Money ſo rated and levied, and expended as aforeſaid, the ſaid Committees ſhall be accomptable to both Houſes of Parliament, and to none elſe.

John Browne, Cleric. Parliament.

The Aſſociation for Leiceſterſhire, Derbyſhire, *&c.*

WHereas his Majeſty, by the inſtigation and advice of divers about his Royal perſon hath raiſed Forces againſt the Parliament, for the moſt part conſiſting of Papiſts, notorious Delinquents, and other malignant perſons, and that hereby the well-affected of the Kingdom are ruinated in their Eſtates, and divers Ourages committed upon their perſons; The Lords and Commons in Parliament do therefore declare, That it is very requiſite that the Counties of *Leiceſter*, *Derby*, *Nottingham*, *Rutland*, *Northampton*, *Buckingham*, *Bedford* and *Huntington*, ſhould enter into an Aſſociation for the mutual defence and ſafety of each other; And that *Thomas* Lord *Gray*, Sir *Edward Hartop*, Sir *Arthur Hazlerig* Baronets, Sir *Thomas Hartop*, Sir *Edward Hartop* Knights, [and divers others particularly named] ſhall be a Committee to meet at ſuch times and places as they ſhall think fit, for raiſing of Men, Horſes, Arms, Ammunition, upon the Propoſitions formerly agreed on by both Houſes of Parliament, or by any other way that they ſhall judge convenient for the ſuppreſſing of the preſent Rebellion, ſtirred up by the malignant perſons, who

An. 1642. who deſire to ſubvert the happineſs of this Kingdom, and ſhall have power to do all things neceſſary thereunto upon all occaſions to joyn with any Forces raiſed by Authority of Parliament; and that the Lord *Grey*, ſon to the Earl of *Stamford*, having Commiſſion from the Earl of *Eſſex*, Lord General, ſhall command in chief as Major General of the Forces to be ſo raiſed, and have power to lead and carry the ſaid Forces to ſuch places as he ſhall think fit; and to ſubdue, fight with, kill, ſlay, and impriſon all ſuch perſons as ſhall levy War without the conſent of both Houſes of Parliament; and that what Money, Horſes, Arms, or Ammunition, ſhall be contributed by any perſon towards this Service, ſhall be ſecured to be repaid with Intereſt, after 8 *l. per cent.* by the Publick Faith of both Houſes of Parliament, upon the ſhewing of an Acquittance or Certificate under the Hands of any four of the ſaid Committee for the Receipt of the ſaid Monies, or Appriſement of the ſaid Horſes, Arms, or Ammunition; And the ſaid Moneys ſo brought in ſhall be iſſued forth in every of the ſaid Counties, by the appointment of any four of the ſaid Committee of that County where it ſhall be contributed.

His Majeſty's Letter and Declaration to the Sheriffs and City of *London*, January 17. 1642.

TRuſty and Welbeloved, we greet you well. We recived lately a Petition from the Aldermen and Common Councel of our City of London, *by the hands of perſons intruſted by them for the delivery, who found ſuch a reception from us, as well manifeſted our regard to that Body which ſent them; Though we well knew by whom that Petition was framed, and where peruſed and examined, before it was approved by thoſe from whom it ſeemed to be ſent, yet we were ſo willing to enter into a correſpondence with that our City, and to receive any Addreſs and Application from them, according to that Invitation we had given by our late Proclamation; and were ſo glad to find that there was yet ſome hopes they would look to the Peace and Happineſs of that City, and at laſt ſever themſelves from any Faction or Dependence which might inſenſibly involve them in thoſe Calamities they did not foreſee, that we returned ſuch a gracious Anſwer thereunto, ſo full of Candor and Affection, that the meaneſt Inhabitant of that our City, if he carefully conſider the ſame, will find himſelf concerned at it, and that we have had an eſpecial care of his particular. With this Anſwer of ours we ſent a Servant of our own, in the company of thoſe who had been ſo well uſed here, to require and ſee that it might be communicated to the whole Body of that our City; not doubting but that both it and the bringer ſhould receive ſuch Entertainment there, as might manifeſt their due regard of us, and of our Affection to them: But to our great wonder, we find that after ten days Attendance, and ſuffering ridiculous Pamphlets to be publiſhed in our Name, as if we retracted our former Reſolutions, (which Pamphlet we have cauſed to be burned by the hand of the Hangman, as we alſo require you to ſee done) inſtead of that admiſſion we expected to our Meſſenger and Meſſage, Guards of Armed Men have been brought to keep our good Subjects, to whom that our Anſwer was directed, from being preſent at the reading thereof; and Speeches have been made by Strangers (who have been admitted to the City Councels, contrary to the Freedom and Cuſtom of thoſe Meetings) to blaſt our ſaid Anſwer, and to diſhonour and ſlander us, which if our good Subjects there ſhall ſuffer, we ſhall be much diſcouraged in our deſired Correſpondence with that our City, and ſo by the cunning and*

power

18 *Caroli.*

power of thoſe Incendaries mentioned in our Anſwer (*Alderman* Pennington) *who to ſhow his great Loyalty to us, and his fitneſs to be the chief Magiſtrate of ſuch a City, being informed that a deſperate perſon there ſaid, That* he hoped ſhortly to waſh his hands in our Blood, *refuſed to ſend any Warrant, or to give any direction to any Officer for his Apprehenſion,* (Ven, Fulke, *and* Manwaring) *who have plunged that our City into ſuch unſpeakable Calamities, in which they would ſtill keep it to cure their own deſperate condition, our good Subjects there are not ſuffered to receive our gracious Anſwer to that Petition; We have therefore thought fit to write theſe our Letters to you, requiring you the Sheriffs of our ſaid City to take care for the publiſhing that our Anſwer (which we herewith ſend you) to our good Subjects of that our City; And our pleaſure is, That you the Maſters and Wardens of the ſeveral Companies of our ſaid City, forthwith ſommon all the Members of your ſeveral Companies, with all the Freemen and Apprentices (whoſe hopes and intereſts are ſo much blaſted in theſe general diſtractions) belonging thereunto, to appear at your ſeveral Halls, where you ſhall cauſe our ſaid anſwer, together with theſe our Letters, to be publickly read, that all our good Subjects may clearly underſtand how far we have been from begetting, how far we are from continuing or nouriſhing theſe unnatural Civil Diſſentions, and how much it is in their own power to remove the preſent Preſſures, and to eſtabliſh the future Happineſs and Glory of that famous City, and moſt ſeriouſly weigh every part of that our Anſwer, as well that which carries caution in it for the future, as Pardon for what is paſt; for aſſure your ſelves, for the time to come, We ſhall proceed with all ſeverity againſt ſuch who ſhall incur the Penalty of the Law in thoſe points, of which we have given them ſo fair a warning in our ſaid Anſwer, and whoſoever ſhall not behave himſelf like a good Subject in this our Kingdom, ſhall not, (if we can help it) receive the benefit and advantage of being our Subject in any other; but all forreign Princes ſhall know, that as ſuch perſon hath parted with his loyalty to us, ſo he muſt not hope for any ſecurity by us, and to that purpoſe we ſhall henceforward have a very inquiſitive eye upon the actions of all our Subjects, that ſome Example may be made, how eaſie it is for us to puniſh their diſloyalties abroad, who for a time may avoid our Juſtice at home. And to the end that none of our good Subjects of that our City may think themſelves bound to obey any of the Orders or Commands of the pretended Lord Mayor (whom we have and do ſtill Accuſe of High Treaſon, and conſpiring to take our Life from us) It is well known to thoſe Citizens who underſtand the Charter of that City (ſo amply granted by our Royal Progenitors, and ſo graciouſly confirmed by us, and of which we preſume our good Subjects there do ſtill deſire to receive the benefit) that the ſaid* Iſaac Pennington *was never regularly elected, or lawfully admitted to be Lord Mayor of that our City, that in truth Alderman* Cordwell *was by the plurality of Voices choſen, and that this Man was never preſented to, or admitted by us, in ſuch manner as is preſcribed by their ſaid Charter; neither had that Judge, who preſumed to ſwear him, any more colour of Law or Authority to adminiſter ſuch an Oath to him, then he hath to do the ſame to morrow to any other Alderman of the City: And we do therefore hereby declare the ſaid* Iſaac Penington *not to be the Mayor of that our City of* London, *and to have no lawful Authority to exerciſe the ſame, and that our good Subjects of that our City, ought not to ſubmit to any Orders, Directions, or Commands which ſhall iſſue from him as Lord Mayor of that our City, but that the ſame are void and of none effect. And we do once more require you the Sheriffs of our ſaid City, and all other the Magiſtrates of the ſame, in which all our good Subjects of that City will aſſiſt you, that you cauſe the ſaid* Iſaac Penington, Ven, Fulke, *and* Manwaring *to be apprehended*

An. 1642.

and committed to ſafe Cuſtody, that we may proceed againſt them as guilty of High Treaſon, and principal Authors of thoſe Calamities which are now ſo heavy upon our poor Subjects of that City, and if not ſuddenly remedied will in a ſhort time utterly confound a Place and a People lately of ſo flouriſhing an eſtimation in all parts of Chriſtendom. And whereas we are informed that one Brown *a Woodmonger*, Titchburne *a Linnen-Draper, and one* Harvey *a Silkman, have exerciſed great Inſolencies and Outrages in that our City, and when many of our good Subjects there have aſſembled together in a peaceable and modeſt manner, to conſult about the peace and welfare of that City, the ſaid mutinous and ſeditious perſons have preſumed to lead Multitudes of armed men againſt them, and by ſuch Force have beaten, wounded, and killed our good Subjects, our will and pleaſure is, That if the ſaid* Brown, Titchburn *and* Harvey, *or either of them, ſhall ſo far neglect our gracious offer of Pardon, as ſtill to engage themſelves in thoſe unwarrantable and ſeditious courſes, That our Sheriffs of* London *raiſe Power to ſuppreſs the ſaid Force, and that you and all our Miniſters of Juſtice, uſe your utmoſt means to apprehend the ſaid perſons, and to bring them to condign puniſhment. And we do hereby declare, That it ſhall be lawful for any of our loving Subjects to reſiſt and oppoſe the ſaid perſons, if they ſhall hereafter, in ſuch a warlike manner, endeavour to moleſt them, as they would do Rebels and Traitors: And we hope that all our good Subjects of that our much injured City of* London, *do take notice of our grace and favour towards them, in our ſo freely paſſing by and pardoning the Offences there committed againſt us, as we have offered by our Proclamation and our late Anſwer, and of our very earneſt deſire to be with them, and to reſide amongſt them for their comfort, ſupport, and protection, if they ſhall, by firſt providing for their own Security, (in ſuch manner as we have directed them in our late Anſwer) give us an inſtance that we may be ſafe there too; and that they do likewiſe obſerve, That being by ſuch violence kept from them, We have done our utmoſt endeavour to continue and advance the decay'd Trading of that our City, by permitting and encouraging all Reſort and Traffick thither, and therefore if by the ſtopping of Carriages, and ſeizing Commodities by other men, the Commerce and Correſpondence be broken between that place and our good Subjects of other Counties, they will impute that Miſchief to the true Authors of it, and look upon us only as not able to help them. Do but your duties, and this Cloud which threatens a preſent Confuſion will quickly vaniſh away, and you will enjoy all the Bleſſings of a happy Nation, to the which no Endeavour of ours ſhall be wanting.*

The Parliament forbid this Letter of the King's to be read to the Companies.

Upon the Receipt of this Letter and Declaration the Sheriffs acquainted the Parliament therewith, who ordered that the ſeveral Companies ſhould not Aſſemble at their Halls for reading of the ſame; and the Lord Mayor and Sheriffs were deſired to take ſpecial care to prevent the ſame. And ſome of the Maſters of the Companies that were chief Promoters of the buſineſs in oppoſing the Order of Parliament, were taken into Cuſtody.

A Declaration of the Lords and Commons aſſembled in Parliament, for the prevention of a Deſign purſued by Sir Ralph Hopton *and his Adherents in* Cornwal *and* Devon.

A Declaration againſt Sir *Ralph Hopton*, *Jan.* 27. 1642.

WHereas his Majeſty by the advice and inſtigation of a wicked Councel about his Perſon, hath raiſed Forces againſt the Parliament, and hath actually made War againſt his great Councel, and his

good

18 *Caroli.*

good Subjects of the Kingdom; which Forces ſo raiſed by his Majeſty for the moſt part are conſiſting of Papiſts, notorious Delinquents, and other malignant perſons, by whom the well-affected of the Kingdom are ruinated in their Eſtates, and divers Outrages committed upon their perſons. And foraſmuch as Sir *Ralph Hopton*, and his Adherents, Rebels and Traitors, combining together in purſuance of this moſt horrid, wicked, and unnatural Deſign, hath levied divers Forces in the County of *Cornwal*, and in a warlike manner already entred into the County of *Devon*, and beſieged, robbed, ſpoiled, plundered, and pillaged divers Towns and Places in the ſaid County, and divers Rapes, Murthers, and other Miſdemeanours, hath acted and committed upon divers of his Majeſty's good Subjects there, and many of them hath utterly deſtroyed. And foraſmuch as that now Ruine and Deſtruction is threatned, not only by that helliſh and accurſed Crew, but alſo by the Welch and other Forces raiſed by his Majeſty, and in his Name, to the County of *Somerſet*, and other the adjacent Counties, the ſaid Counties alſo being in danger by the Invaſion of a Forreign Enemy; for prevention whereof, amongſt other the ſaid Counties, the well-affected and good Subjects in the ſaid County of *Somerſet*, for defence of themſelves and the Weſtern parts, againſt all ſuch their Enemies, Rebels and Traitors, having aſſociated themſelves, and raiſed divers Forces both of Horſe and Foot, which muſt be maintained upon the publick Charge; the Lords and Commons aſſembled in Parliament, do order, declare and ordain, That the Receivers for the Subſcriptions appointed for the County of *Somerſet*, upon the Propoſitions for raiſing of Horſe, Money and Plate, for the Defence of the King, Kingdom, and Parliament, and all Collectors, Sub-collectors, and others intruſted for the levying and receiving of the ſaid Collections, and the ſaid Propoſitions in and for the ſaid County of *Somerſet*, ſhall forthwith pay in all ſuch ſum and ſums of Money, as by them, or by any of them have been collected and received, and not paid into the Treaſures in *London*, according to the ſaid Ordinance for the Propoſitions, as aforeſaid, unto *John Aſh* Eſq; and *Rog. Hill* of *Taunton* Gent. Treaſurers, hereby appointed to receive the ſaid ſums ſo raiſed and levied as aforeſaid, upon the ſaid Ordinance for Subſcriptions as aforeſaid, to be imployed to the uſes and purpoſes limited and appointed by the ſaid Ordinance, for Subſcriptions upon the ſaid Propoſitions, and to no other uſe, intent, or purpoſe: And that the ſaid Monies ſo ſubſcribed, raiſed, and gathered as aforeſaid, ſhall not be iſſued out by the ſaid Treaſurers hereby appointed, but by Warrant to them made by the Right Honourable the now Earl of *Stamford*, Sir *Joh. Horner*, Sir *Tho. Wroth*, Sir *Fr. Popham*, *Alex. Popham*, *Hugh Rogers*, *Chr. Walker*, *Will. Strode*, *Rich. Cole*, *John Frances*, *John Harrington*, *John Hippiſley*, *James Aſhe*, *John Aſhe*, *John Pike*, *Hen. Stamford*, *Wil. Seaborne*, *Thomas Hippeſley*, *Hen. Henly*, *John Preſton*, *Wil. Long*, or any 3 or more of them, under their Hands and Seals, and as they ſhall limit, appoint and declare; and that the Warrant or Warrants of the perſons aforeſaid, or of any three or more of them in manner as aforeſaid, for the iſſuing out of the ſaid Moneys, together with the Acquittance or Acquittances from the perſon or perſons which ſhall be appointed by the perſons aforeſaid, or any three or more of them, for the receipt of the ſaid ſum or ſums of Money according to this Ordinance, ſhall be a ſufficient diſcharge to the Treaſurers hereby named, for ſo much as ſhall be in ſuch Acquittance or Acquittances, for the iſſuing out and payment of the ſaid ſum or ſums of Money reſpectively; and that the Treaſurers ſhall not pay any ſum or ſums of Money to be by them received upon any other Direction, Warrant, or Command whatſoever. And further it is ordered and

An. 1642. declared, That the ſaid Receivers, appointed by virtue of the ſaid Ordinance for the Propoſitions, who were thereby required to pay, or cauſe to be paid the ſaid Moneys by them received, to the Treaſurers in *London*, named in the ſaid Propoſitions, for ſo much of the ſaid Moneys as they ſhall pay to the Treaſurers hereby nominated and appointed for the County of *Somerſet* as aforeſaid, having their or either of their reſpective Acquittance or Acquittances, ſhall be diſcharged, any Act or Thing heretofore made to the contrary notwithſtanding.

Provided that this Ordinance ſhall not extend to impeach or diminiſh any Order or Ordinance of both Houſes of Parliament formerly made, for diſpoſing of any the ſaid Moneys, or other Orders made to the Town of *Taunton*, or other place in the ſaid County of *Somerſet*, having thereby obtained an allowance for Fortifications out of their own reſpective Subſcriptions and Contributions upon the ſaid Propoſitions.

An Ordinance of both Houſes for the Aſſeſſing of Malignants in the ſaid County of Somerſet, *and the Parts Adjacent.*

Die Veneris, 27 January 1642.

WHereas Sir *Ralph Hopton*, and his Adherents, Rebels and Traytors, combining together, have levied War againſt the Parliament, and have in a warlike manner already entred into the County of *Devon*, and beſieged, robbed, ſpoiled, plundred and pillaged divers Towns and Places in the ſaid County, and divers cruel and barbarous Murthers, Rapes and other notorious Out-rages hath committed and done in the ſaid County, upon divers of his Majeſty's good Subjects, and many of them hath utterly ruin'd and deſtroy'd: And foraſmuch as the like Danger and Deſtruction is threatned to the County of *Somerſet*, by the ſaid Rebels and Traytors, who have a great Party in the ſaid County of *Somerſet*, that are Perſons ill-affected, it is therefore ordered and ordained by the Lords and Commons aſſembled in Parliament, and by the Authority of the ſame, That Sir *John Horner*, Sir *Francis Popham*, Sir *Thomas Wroth*, Sir *George Farwell*, Knights, *Alexander Popham*, *Hugh Rogers*, *Chriſtopher Walker*, *John Harrington*, *John Hippiſley*, *John Francis*, *Richard Cole*, *William Strode*, *John Pine*, *Henry Henly*, *John Preſton*, *James Aſhe*, *John Aſhe*, *Henry Stamford*, *Will. Seaborne*, *Tho. Hippeſley*, and *Will. Long*, Eſquires, or any 3 or more of them, or any 3 or more of ſuch honeſt, able, and ſufficient perſons, as by any three or more of the Perſons afore-mentioned ſhall by their Warrants under their Hands be nominated and appointed Aſſeſſors, ſhall Aſſeſs, Rate, and Charge ſuch Perſon and Perſons, Inhabitants or others, reſiding and abiding in the ſaid County, as are of Ability, and have not contributed to the Propoſitions for the raiſing of Horſe, Money, or Plate for the Defence of the King and Parliament, formerly agreed upon by both Houſes of Parliament; and other ſuch as have contributed, but not according to their Abilities, to pay ſuch Sum or Sums of Money according to their Eſtates, as the ſaid Aſſeſſors, or any three of them ſhall think fit and reaſonable, ſo as the ſame exceed not the Twentieth part of their Eſtates. And if any Perſon ſo aſſeſſed ſhall refuſe to pay the Money ſo to be aſſeſſed upon him, in ſuch manner, and at ſuch times and places, as by the ſaid Aſſeſſors, or any three of them, ſhall be required and appointed, it ſhall be lawful to and for the ſaid Aſſeſſors above-named, or any three of them, to grant Warrants to any Perſon or Perſons under their Hands and Seals, to levy all and every ſuch Sum or Sums ſo aſſeſſed, by any

any way of Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons ſo aſſeſſed, and refuſing reſtoring the Overplus, if any ſhall be, to him or them that ſhall be ſo diſtrained; and if any Perſon ſo diſtrained ſhall make reſiſtance, it ſhall be lawful to and for the ſaid Aſſeſſors above-named, or any three of them, by their Warrant to require the Parliament Forces in thoſe parts, and all other his Majeſty's Officers and good Subjects to be aiding and aſſiſting in the Premiſſes; the ſaid Sums ſo aſſeſſed and levied to be paid unto *John Aſhe* Eſq; and *Roger Hill* of *Taunton*, Gent. Treaſurers, hereby appointed to receive the ſaid Sums ſo to be raiſed and levied as aforeſaid, and that the Money ſo raiſed ſhall not be iſſued out, but by Warrant to the ſaid Treaſurers, under the Hands of three or more of the ſaid Aſſeſſors above-named, and ſuch Perſon or Perſons as ſhall be notoriouſly refractory and diſobedient in the Premiſſes, or have not ſufficient to be taken, it ſhall be lawful for the Aſſeſſors above-named, or any two of them, by their Warrant under their Hands and Seals, to commit him or them to ſome common Goal, there to remain until Payment be made of ſuch Sum or Sums of Money upon him or them ſo aſſeſſed, or to ſend them up to the Parliament by Ship or otherwiſe: And for any act or thing done, or to be done, according to the tenure of this Ordinance, they and every of them before-named, and all and every other Perſon or Perſons by them imployed in the Execution of the ſaid Ordinance, ſhall be ſaved harmleſs by Authority of both Houſes of Parliament.

18 *Caroli.*

Die Sabbathi, 28 *Jan.* 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration and Ordinance be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

The Copy of a Letter from the Lord *Fairfax* to the Speaker, and read in both Houſes, *Jan.* 26. 164$\frac{2}{3}$.

SIR,

IT is moſt neceſſary that I continue my relation to you of the ſtate and condition of the Affairs in this Country, that they may be made known to both Houſes, and proviſion made for Succours to be ſent us, which have hitherto come very ſlowly, though they have made large expreſſions of their care; we have been long deſtitute of money to pay the Army, and to ſupply that want, I have uſed all poſſible induſtry, by taking up Money upon Exchange, and by calling upon the Country to ſupply me for the preſent upon the Publick Faith. The want of Money doth ſo perplex the part of the Army here, as I imagine the Houſe will not expect any conſiderable matter to be done by us, though God be thanked, the Forces I ſend from hence, and are raiſed by the Country in other places, are daily acting ſomething to advance the Publick Service. As in the North-riding, where Sir Hugh Cholmly *hath carried himſelf very bravely, giving ſeveral Defeats to the Enemy near* Malton: *And on* Monday *the 16th of this Month, joyning his Forces to Sir* Matthew Baynton, *they fell upon Col.* Slingsby *at* Gisbrough, *where they defeated him and 600 Horſe and Foot with him, that had done much ſpoil in the North-riding: they wounded and took Col* Slingsby *himſelf, with 140 other Priſoners; kill'd a great many, and recovered 200 Arms with the place. Amongſt the Priſoners taken by Sir* Hugh Cholmly *at* Malton, *and here at* Gisbrough, *it is found that a great number are Papiſts; and indeed the ſtrength of the Enemies will be found to conſiſt much of Papiſts, and popiſhly affected; the Earl of* Newcaſtle *granting his Commiſſions for raiſing Men*

Sir *Hugh Cholmly* takes Col. *Slingsby*,

An. 1642.

Men, to Papiſts for the moſt part: I have heard of late of Commiſſions granted to twelve Recuſants of theſe parts, whoſe names I ſend incloſed, and it is not to be doubted, he walks the ſame ways in other places as well as here, which courſes have ſo advanced Popery as I hear, that in York, *where many Recuſants are ſettled, Maſs is ordinarily ſaid in every ſtreet, and ſuch Affronts offered to the Proteſtants and their Miniſtry, as few dare reſort to Church; and in other parts of the Country, I am informed, that for many miles together, the religious Miniſtry are all either fled, or impriſoned; which Perſecutions, if they be not timely repreſſed, will extirp or much depreſs the Proteſtant Religion in theſe parts. About* Bradford *and* Hallifax, *God hath bleſſed my Son, and thoſe ſmall Forces, with good Succeſs againſt the Enemy in ſeveral light Skirmiſhes; and on* Monday *was Seven-night, he ſeized on the Lord* Savile's *Houſe at* Howley, *and put about* 100 *Muſquetiers into it; and on* Tueſday *I ſent Sir* William Fairfax *and his Officers with ſome Arms to raiſe his Regiment in thoſe parts; and for his Convoy, I ſent what Horſe and Dragoons I could ſpare from hence, directing them to ſtay with my Son to aſſiſt him in his deſign againſt* Leeds; *and yeſternight I received Letters from him, wherein he relates to me, that on* Monday *laſt he drew his Forces out of* Bradford, *and marched to* Leeds, *where Sir* William Savill *commanded in chief; my Son firſt ſummoned them by a Trumpet to yield; which being refuſed, the Aſſault began, wherein his Men carried themſelves with great Reſolution, the Town being fortified on all ſides, furniſhed with two braſs Sakers, and managed with* 1500 *Soldiers, yet they forced an Entry in two hours fight, there being not loſt on both ſides above Forty men; but he took four Colours,* 500 *Priſoners (of which ſix are Commanders) and with the Priſoners they took many Arms, the Sakers, and all the Munition they had, which was not much; on our part we loſt* 13 *Men, and Capt.* Briggs *and Capt.* Lee, *both were wounded; and I perceive, that in this exploit Sir* William Fairfax, *Sir* Thomas Norcliff, *and Serjeant Major* Forbes, *with the reſt of the Commanders, carrid themſelves very gallantly. The People do obſerve that Sir* William Savill, *and the chief Commanders on the other ſide, ſoon after the fight began, fled by ſecret ways towards* Pomfrait, *and their Men after them by degrees; but by the way Serjeant-Major* Beaumont *was drowned croſſing the River, and Sir* William Savill *very narrowly eſcaped the like fate. After* Leeds *was thus won, my Son writes that he intended to have marched to* Wakefield, *where Sir* George Wentworth *commanded, but was prevented therein by the Enemies fears, who hearing he had taken* Leeds, *fled all away from* Wakefield *to* Pomfrait, *and left the Town, ſo he hath ſent ſome Forces to inveſt and keep that place: Thus hath God bleſſed their indeavours on that ſide; and now I am told that Capt.* Hotham *and Sir* John Savill *are gone up yeſterday with ſome Forces into thoſe parts, but upon what deſign I know not; yeſterday morning I had ſome intelligence that the moſt part of the Forces were marched the day before out of* Doncaſter, *ſo I have ſent my Serjeant-Major-General with ſix Companies of Foot to inveſt that place, and to leave ſome Forces to keep it until more ſtrength come to us out of the Southern Counties, which if it could be haſtned hither, might very much advance the Cauſe, and cruſh their Popiſh Forces before they be ſupplied by the Queens coming, or that Party in* Scotland, *of which there is ſome expectation. I deſire you will make known to the Houſe the great Extremities that are put upon me, and that a certain courſe may be ſettled for ſupplying us with Money for the entertainment of the Army, in ſuch ſeaſon as our Men may be encouraged in the Service, and fall into a way of plundering for want of pay. My Son, upon the taking of* Leeds, *though he entred it by force, yet he reſtrained his Army from pillaging; ſo I have ordered that the Malignants in lieu of*

Leeds taken by Fairfax, Jan. 23. 164$\frac{2}{3}$.

the

18 *Caroli.*

the ſpoil challenged to be due unto the Soldiers, ſhall give them a months entertainment, which I hope will content both Parties. Yeſterday intelligence was brought to me that the Earl of Newcaſtle *hath drawn down all his Forces from the South part of* Yorkſhire, *thoſe only excepted that keep the Caſtle at* Pomfrait, *for yeſterday he marched from* Sherborn *to* York, *with* 36 *Colours,* 2 *Pieces of Cannon, and* 45 *other Carriages; the certain cauſe I do not yet know, but ſuppoſe it is to meet the Arms and Munition coming from* Newcaſtle, *or to prepare for the Queens entertainment at* York, *which is much ſpoken of. I ſhall carry a vigilant eye upon his deſigns, and endeavour to prevent them ſo far as can be expected from the Forces under the command of,*

SIR,

Selby, Jan. 26. 1642. Your moſt affectianate Friend and Servant,

FER. FAIRFAX.

The Names of Recuſants in theſe Parts to whom the Earl of *Newcaſtle* hath granted Commiſſions to raiſe Forces.

Mr. Robert Trapps.	*Mr.* Andes.	*Mr.* Watterſon.
Mr. Stephenſon *of* Thornton.	*Mr.* Tindall.	*Mr. Thwenge.*
Sir John Middleton.	*Mr.* Bretton.	*Captain* Sare.
Sir Walter Vavaſor.	*Sir* Philip Hungate.	*Captain* Granger.

Die Lunæ, Jan. 30. 1642.

Ordered by the Lords and Commons in Parliament aſſembled, That this Letter be forthwith printed and publiſhed.

J. Browne Cler. Parliamentorum.

A Speech ſpoken at the Council Table at *Oxford* by the Right Honourable *John* Earl of *Briſtol*, in favour of the Continuation of the War, *Febr.* 164$\frac{2}{3}$.

My Lords,

The Earl of *Briſtol's* Speech for a War.

I Know you do expect I ſhould deliver my Opinion in the preſent Affairs, which how much more weighty it is, ſo much more timorous am I to diſcover mine Opinion in it, leſt ſome ſhould imagine my Vote to arrogate to it ſelf a definitive Power, and look to paſs without any contradiction. But I diſclaim all ſuch haughty intentions, and ſhall plainly, and according to my Conſcience, give in my true Verdict of the Affair in agitation, namely, Whether it were better for the Honour and Safety of his Majeſty, and the Good of his Kingdoms, to continue the preſent War, or to acquire and endeavour a ſudden Peace betwixt his Majeſty and his Court of Parliament.

Diſcurrunt medici, tractant fabriſia fabri.

We are, my Lords, the Phyſicians that ought to diſcourſe of the Diſeaſes of the Commonwealth, and by the gentleſt and wholſomeſt Remedies our Art can invent, labour her ſudden cure; But yet, we ought to take heed that the Cure be not worſe than the Diſeaſe; that while we ſtrive to compoſe the differences which are but contingent to us, we pull upon our ſelves and our Families certain, and not to be avoided, Ruines. Charity begins at home, ſays the Proverb; and in Wiſdom we are ingaged to provide, that by the purchaſe of the Publick Peace, we do not entail upon our Poſterities the cruelleſt of all Wars; The Wars which our Children and their Deſcendants muſt have with want and penury, the greateſt and moſt depreſſing Enemy that can make Arms againſt noble and generous Minds; and to that Exigent muſt we betray them for the future, our ſelves for the preſent, if we yield to

or

An. 1642.

or determine of a Peace. The Parliament have declared divers of the greateſt and moſt eminenteſt in Nobility amongſt us Delinquents, in the higheſt nature to the Commonwealth, have proſcribed our Perſons, and adjudged our Eſtates no longer ours, but forfeited to the Commonwealth, and ſo have taken order for the receiving and ſecuring our Revenues into ſuch hands as ſhall diſpoſe them according to their intentions; and without this Condition be ratified, it is moſt probably imagined they will hardly be drawn to an Accommodation for Peace. In what ſtate then will our Fortunes ſtand? In what deplorable condition ſhall we leave our Children? Heirs only to their Parents Loyalties, not to their Lands.

Incidit in Scyllam, qui vult vitare Charybdim.

We ſhall juſtly verifie that Sentence, Eſcaping a Quickſand, we ſhall fall upon a Rock that will ſplit us; Out of one Evil into a worſe; that Condition of Peace being incompatible with our Exiſtence. But grant that this Article were removed out of the Propoſitions, as the caſe ſtands, my Lords, I cannot (though I love peace, and pray for it with all my heart) ſee which way his Majeſty can condeſcend to it with his honour. Is it fit for a King to beg Peace of his Subjects? for the Regal Authority, the immediate Figure of Heaven, and the Deity on Earth, to deſcend from its ſupream height, and, as it were, to derive its power from a ſubordinate power derived from its bounty? That were to invert and vitiate the courſe of nature, to inforce the cauſe to give place to its effect, the Sun to acknowledge his all-quickning heat and light, emergent from the Terreſtrial Fires, created (as it were) and iſſuing from his influence. In Spain *(where the long time I reſided there as Ambaſſadour, afforded me priviledge to be well acquainted with the ſtate of that Kingdom) in no Age or Record can ſcarcely be found mention of Inteſtine or Civil Wars, till theſe very years wherein all the World labours with diſſentions; the reaſon is, becauſe they are truly Subjects, and their Soveraign truly a Soveraign. And ſince the ſtate here will neither be ſo to the King, nor ſuffer the King to be ſo to them; my reaſon tells me, they ſhould be compelled to it. It is no diſhonour for Subjects to condeſcend to any Propoſitions to their King, but it is an exceſſive declenſion and diminution to his Majeſty's Royalty, to ſubmit himſelf to his Subjects:* Fuiſſe fœlicem miſerrimum eſt. *My Opinion therefore is (with all humility to his Majeſty) that he neither propound to the Parliament, or receive from them any Conditions for Peace, but ſuch as ſhall abſolutely comply with the Regal Dignity and Prerogative, (which God and Succeſſion hath allowed him) and ſuch as may be no way prejudicial to us or our Eſtates, his Majeſty's moſt faithful Servants and Counſellors. We have an Army on foot, a braver the Sun never ſhone on; an Army, that by force can compel that which fair words cannot effect; and ſince* Emori per virtutem præſtat quam per dedecus vivere, *let us reſolve, always ſubmitting to his Majeſty's judgment, to go on cheerfully in theſe Wars, which, though they be rough and churliſh Parents, will at the laſt bring forth that mild and gentle off-ſpring Peace, and we ſhall enjoy that with Honour and Safety, which otherwiſe with Diſgrace and Detriment we ſhall be inforced to abandon.*

The Earl of *Dorſet*'s Speech for a ſpeedy Accommodation with the Parliament.

The Earl of *Dorſet*'s Speech for Accommodation.

My Lords,

THE Earl of Briſtol *has delivered his Opinion, and I ſhall with the like Integrity give your Lordſhips an account of my intentions in this great and important Buſineſs; I ſhall not, as young Students do in the Schools,* argu-

18 *Caroli.*

argumentandi gratia, *repugn my Lord of* Briſtol's *Tenets; but becauſe my Conſcience tells me they are not* Orthodox *nor Conſonant to the diſpoſition of the Commonwealth, which languiſhing with a tedious Sickneſs, muſt be recovered by gentle and eaſie Medicines, in conſideration of its weakneſs, rather then by violent Vomits, or any other corroding or compelling Phyſick. Not that I will abſolutely labour to refute my Lord's Opinions, but juſtly deliver my own, which being contrary to his, may appear an expreſs Contradiction of it, which indeed it is not; Peace, and that a ſudden one being ſo neceſſary betwixt his Majeſty and his Parliament, as light is requiſite for the production of the day, or heat to cheriſh from above all inferiour bodies. This diviſion betwixt his Majeſty and his Parliament, being (as if by miracle) the Sun ſhould be ſeparated from his proper Eſſence, I would not, my Lords, be ready to embrace a Peace that ſhould be more diſadvantagious to us then the preſent War, which as the Earl of* Briſtol *ſays, ſhould deſtroy our Eſtates and Families: The Parliament only declares that againſt Delinquents, ſuch as they conjecture have miſcounſelled his Majeſty, and be the Authors of theſe Tumults in the Commonwealth; but this Declaration of theirs, except ſuch Crimes can be proved againſt them, is of no validity; the Parliament will do nothing unjuſtly, nor condemn the innocent; and certainly innocent men need not fear to appear before any Judges whatſoever. And he who ſhall for any cauſe prefer his private good before the publick utility, is but an ill Son of the Commonwealth: For my particular, in theſe Wars I have ſuffered as much as any; my Houſes have been ſearcht, my Arms taken thence, and my Son and Heir committed to Priſon; yet I ſhall wave theſe diſcourteſies, becauſe I know there was a neceſſity they ſhould be ſo; and as the darling buſineſs of the Kingdom, the honour and proſperity of the King, ſtudy to reconcile all theſe differences between his Majeſty and his Parliament; and ſo to reconcile them, that they ſhall no way prejudice his Royal Prerogative, of which, I believe the Parliament being a Loyal Defender (knowing the Subjects Property dependent on it: for where Soveraigns cannot enjoy their Rights their Subjects cannot) will never endeavour to be an Infringer; ſo that if doubts and jealouſies were taken away by a fair Treaty between his Majeſty and the Parliament, no doubt a means might be deviſed to rectifie theſe differences. The honour of the King, the Eſtates of us his Followers and Counſellors, the Priviledges of Parliament, and Property of the Subject, being inviolably preſerved in Safety: And neither the King ſtoop in this to his Subjects, nor the Subjects be deprived of their juſt Liberty by the King. And whereas my Lord of* Briſtol *affirms, That in* Spain *very few Civil Diſſentions ariſe, becauſe the Subjects are truly Subjects, and their Soveraign truly a Soveraign; that is, as I underſtand it, the Subjects are ſcarcely removed a degree from Slaves, nor the Soveraign from a Tyrant. Here in* England *the Subjects have by a long and received Liberty granted to their Anceſtors from our Kings, made their freedom reſult into a ſecond Nature; and neither is it ſafe for our Kings to ſtrive to introduce the Spaniſh Government upon this free-born Nation, nor juſt for the People to ſuffer that Government to be inforced upon them; which I am certain his Majeſty's goodneſs never intended. And whereas my Lord of* Briſtol *intimates the ſtrength and bravery of our Army, as an inducement to the continuation of theſe Wars, which he promiſes himſelf will produce a fair and happy Peace; in this I am utterly repugnant to his Opinion; for grant that we have an Army of gallant and able men, which indeed cannot be denied, yet have we infinite diſadvantages on our ſide, the Parliament having double our number, and ſurely (though our Enemies) perſons of as much bravery, nay, and ſure to be daily ſupplied when any of their number fails, a benefit which we cannot boaſt; they having the moſt popular part of the Kingdom at their Devotion;*

An. 1642. *all, or moſt of the Cities, conſiderable Towns and Ports, together with the maineſt Pillar of the Kingdoms Safety, the Sea, at their command, and the Navy; and which is moſt material of all, an unexhauſted Indies of Money to pay their Soldiers, out of the liberal Contributions of Coin and Plate ſent by People of all Conditions, who account the Parliaments Cauſe their Cauſe, and ſo think themſelves engaged to part with the uttermoſt penny of their Eſtates in their defence, whom they eſteem the Patriots of their Liberty. Theſe ſtrengths of theirs, and our defects conſidered, I conclude it neceſſary for all our Safeties, and the good of the afflicted Commonwealth, humbly to beſeech his Majeſty to take ſome preſent order for a Treaty of Peace betwixt himſelf and his high Court of Parliament, who, I believe, are ſo loyal and obedient to his Sacred Majeſty, as they will propound nothing that ſhall be prejudicial to his Royal Prerogative, or repugnant to their Fidelity or Duty.*

About *Auguſt* 1642. the Lord *Shandois* having accepted from the Parliament the Charge of being Lord Lieutenant of *Gloceſterſhire*, declining the ſame, went about to put in Execution his Majeſty's Commiſſion of Array, ſummoning the Gentry to meet his Lordſhip to that purpoſe at *Ciceſter*, but the Towns-men and Country roſe upon him, and he hardly eſcaped being taken Priſoner by them, his Coach which he left behind him being hewed in pieces: This did much exaſperate the Royal Party againſt this Town, and therefore to ſecure it, the Deputy Lieutenants appointed a Garriſon there.

In the beginning of *January* the Lord Marqueſs of *Hartford*, with his Welſh Regiments, came up from *Worceſter* to *Stow*, and from thence to *Burford*, where finding his Quarters ſcanty, he repaired to the King at *Oxford*, adviſing his Majeſty, That unleſs he might have Contribution and Quarters for his Army in *Gloceſterſhire* and *Wiltſhire*, they could not long ſubſiſt; and that this could not be till *Ciceſter* was reduced, and therefore offered, if he might be aſſiſted with ſome Horſe and Dragoons, to take it. Whereupon Prince *Rupert* with two Regiments of Horſe, and one of Dragoons, and Prince *Maurice* with all his Horſe and Dragoons were ſent to Aid him.

Ciceſter Summoned. On *Saturday*, *Jan.* 7. their whole Army being about 6000 Horſe and Foot, faced the Town, and Summoned it to be delivered, with promiſe of his Majeſty's Free-pardon for all paſt Offences, and Aſſurance of Safety for their Perſons and Eſtates; which if refuſed, no Mercy might be expected; adding, That they came to vindicate and maintain the King's Rights and Prerogative. To which the Town returned this Anſwer;

Their Anſwer. *We do heartily acknowledge and profeſs our ſelves to be his Majeſty's loyal and faithful Subjects, and ſhall be ever as ready with our Lives and Fortunes to maintain his juſt Rights and Prerogatives, as your ſelves, or the beſt of his Majeſty's Subjects; and as we are ſo, we ought likewiſe to enjoy his Majeſty's Peace, and the juſt Rights and Liberties of the Subjects of* England, *according to the Laws of the Land; in defence whereof, and the true Proteſtant Religion only, we ſtand to our Arms, and are reſolved (with God's aſſiſtance) to defend them with our Eſtates and Lives.*

This Anſwer being returned, the Marqueſs ſtaid before the Town till it was dark, and then retreated that Night to Quarter in the Neighbouring Villages. Next day they ſhew'd themſelves again, but departed without making any Attempt, only threatned quickly to return again with greater Force.

In their Abſence the Garriſon was encreaſed, the Town better fortified, 4 great Iron Pieces ſent them from *Briſtol*, beſides 2 braſs ones, they had before

before from *Gloceſter*: On *Jan.* 26. a Party marcht out of the Town to beſiege *Sudley* Caſtle 14 Miles from *Ciceſter*, which they took. And whilſt they were thus there, on *Jan.* 30. Prince *Rupert* having fetcht a Compaſs through *Northamptonſhire* and *Warwickſhire*, appeared before the ſaid *Sudley* Caſtle, and next day marched towards *Ciceſter*, and being reinforced with ſome Troops from *Oxford*, and two whole Culverins, beſides 4 ſmall braſs Field-pieces, and 2 Mortar-pieces, preſented themſelves in a Body before the Town on *Thurſday*, *Febr.* 2. and then divided themſelves, his Highneſs Prince *Rupert*, and the greateſt part of the Army, drawing near the Town on the Weſt and South part, and the Earl of *Carnarvan* and his Troops, and ſome other Forces on the Eaſt and North ſide: About twelve a Clock two Regiments of Foot began an Aſſault on the *Barton*, a great Farm, which lay not far from the Town *Weſtward*, where they were valiantly received by about 100 Muſqueteers that lay under the Garden wall; and between them there continued a briſk Diſpute for about two hours, but at laſt the Aſſailants being gotten quite under the Wall, and having fired ſome Barns and Ricks of Corn and Hay that lay behind theſe 100 Muſqueteers, ſo that if they did not preſently Retreat, they would have no way to eſcape, forced them out of that Work, who retiring to the ſecond Work, which was hard by, and being ſo hotly purſued by the Royaliſts, as well as by the Fire and Smoke which the Wind drove directly upon them, they, and the Guards of that Fort, without making any Reſiſtance, fled diſorderly into the Town, furiouſly purſued by Prince *Rupert*'s Soldiers; yet thoſe of the Town from the Market-place and Windows held them in play near an hour.

In the mean time the Earl of *Carnarvan* ſeeing the *Barton* fired, and the Works on that ſide entred, endeavoured to force his Entrance on the North, but was couragiouſly oppoſed by the Townſmen with little loſs, they not yielding till thoſe that came in on the other ſide were on their backs. Thus about 4 a Clock the Town was wholly won, and ſhooting on each ſide ceaſed. Then they took Priſoners, and all that Night, and the two days following imployed themſelves in plundering the place. The Priſoners taken and carried to *Oxford*, were between 11 and 1200, in an unuſual manner in warlike Actions, being pinion'd two and two together by the Arms, amongſt whom were 2 Miniſters, divers Commanders and others of good Account. There were on the Town ſide between 20 and 30 kill'd, 5 pieces of Cannon loſt, near 1200 Muſquets and other Arms, 14 Colours and ſome Ammunition, but not much, for moſt of it was ſpent in the Defence. 18 *Caroli*.

A Declaration of the Lords and Commons aſſembled in Parliament, for the Vindication of *Ferdinando* Lord *Fairfax*, *Feb.* 3. 164$\frac{2}{3}$.

WHereas *Henry* Earl of *Cumberland*, and *William* Earl of *Newcaſtle*, have not only traiterouſly raiſed War againſt the Parliament, but likewiſe the ſaid Earl of *Newcaſtle*, out of a wicked deſign to ſuppreſs the Proteſtant Religion, and to advance the Popiſh Idolatry and Superſtition, hath raiſed and armed a great number of Papiſts, and having brought them together in the Body of an Army, the ſaid Earl of *Newcaſtle* is become their Head and Captain General, and further in purſuance of that wicked Deſign, and for the terrifying and deſtroying of thoſe, who out of Conſcience and Duty to God and the Kingdom, ſhould oppoſe them in the execution thereof, they have by ſeveral Proclamations, that is to ſay, by one bearing date the firſt of *Decemb.* laſt, under the name of the ſaid Earl of *Cumberland*; and another dated the 17th of *January* laſt, under the name of the ſaid Earl of *Newcaſtle*, falſly, maliciouſly and traiterouſly publiſhed *Ferdinando* Lord *Fairfax*, Sir *Thomas Fairfax* Kt. Sir *Edward Loftus* Kt. Sir *Matthew Boynton* Kt. and Bar. Sir *Henry Fowlis*, and Sir

An. 1642. *Thomas Malleverer* Baronets, Sir *Richard Darley*, Sir *Chriſtopher Wray*, Sir *Henry Anderſon*, Sir *John Savile*, Sir *Edward Rodes*, Sir *Hugh Cholmley*, Sir *Thomas Remington*, Sir *Thomas Nortliffe* Knights, *John Hotham*, *Thomas Hatcher*, *William Liſter*, *John Legard* of *Malon*, *John Dodſworth*, *John Waſtell* Eſquires, *William White*, *John Robinſon*, *Arthur Beckwich*, *Thomas Robinſon*, and *Thomas Stackdell* Gent. and divers others, and all their Adherents to be Traitors, the Lords and Commons now aſſembled in Parliament, do hereby declare, That the ſaid *Ferdinando* Lord *Fairfax* is by them, or by Authority derived from them, appointed Captain-General of the Forces raiſed, and to be raiſed for the Defence of Religion, the Liberty of the Kingdom, and of the Parliament, and whatſoever he or any of the Perſons afore-named, or any under him or them, have done by virtue of that Authority, they have done lawfully, and according to that Duty which all good Subjects owe to God, the King, and their Country, and that they ſhall for their ſo doing, be maintained by the Power and Authority of Parliament: And they do further authorize and require the ſaid *Ferdinando* Lord *Fairfax*, the ſaid Perſons afore-named, and all others, to continue and proceed in this ſo neceſſary and acceptable a Service, and that all means may be uſed for the ſuppreſſing that Army of Papiſts and Perſons popiſhly affected, now under the Command of the ſaid Earl of *Newcaſtle*, which evidently threatens Ruine and Deſolation to our Religion, Laws and Liberties, and will (if not prevented) make us undergo thoſe Cruelties, Rapines, Spoilings, and Murtherings, that our Brethren in *Ireland*, have ſuffered by the Popiſh Rebels there, which we muſt alſo expect from theſe, if they be not timely and powerfully reſiſted, the ſaid Lords and Commons do further declare the ſaid *Henry* Earl of *Cumberland*, and *William* Earl of *Newcaſtle*, and all that ſhall aſſiſt them, or either of them, in their Perſons, or with Arms, Money, Proviſion, or otherwiſe howſoever, to be guilty of High Treaſon for raiſing Arms againſt the Parliament and Kingdom. And that the ſaid Earl of *Newcaſtle*, having made himſelf Head of a Popiſh Party now in Arms, hath thereby after a more horrid and deteſtable manner, manifeſted himſelf to be a Traitor, and an Enemy to all true Religion and Goodneſs; And therefore the ſaid Lords and Commons do further require and command all Perſons of what Eſtate, Degree, or Quality whatſoever they be, as they tender the Good and Proſperity of the true Proteſtant Religion by Law eſtabliſhed, and preſervation of themſelves, their Laws and Liberties, and as they will anſwer it before Almighty God, that they do forthwith wholly and abſolutely withdraw themſelves from giving any Aid or Aſſiſtance to the ſaid Earl of *Newcaſtle*, or any of the Forces raiſed by him, or under his Command, and that they fail not to give all ready and chearful Obedience and Aſſiſtance to the Command and Authority of the ſaid Lord *Fairfax*, ſo much conducing to the Preſervation of Religion, and to the Peace of the County of *York*, and Weal of the whole Kingdom, whereunto the Lords and Commons are confident that all Perſons which are, or deſire to be accounted true Proteſtants, and rightly affected to God's true Religion, the Peace of the Kingdom, and the Liberty of the Subject, will (to their utmoſt endeavours) willingly and reſolutely ſubmit, conform, and apply themſelves.

18 *Caroli.*

A Declaration of his Excellency the Earl of Newcaſtle, *in Anſwer to the Aſperſions caſt upon him by the Lord* Fairfax, *in his Warrant bearing Date* Febr. 2. 1642. *Together with the ſaid Warrant, Printed at* York *by* Stephen Bulkley, 1642. *by Special Command.*

IT is no new thing (though it was never ſo frequent as now) for Incendiaries to Accuſe Innocents as Diſturbers of the Publick Tranquility of the Country. So ugly is the Face of Rebellion when it comes unmasked, without ſome Cloak or Vizard over it, that even ſeditious Perſons cannot fancy it themſelves. The Charge which the Lord *Fairfax* gives againſt me in this Declaration, is like that of a *Roman* againſt his Fellow Citizen, That *he did not receive his whole Weapon into his Body:* He was angry that his Neighbour ſhould defend himſelf; and my Lord, that I ſhould protect his Majeſty's good Subjects from his Violence. And tho a general Accuſation might juſtly be ſlighted as a Slander, to which by the Laws of this Land no man is bound to Anſwer, to which it is impoſſible for any man to make a direct Anſwer (ſince it is not inveſted with the due Circumſtances of Time and Place and Perſons) neither is the Lord *Fairfax* able to bring one particular Inſtance to make good his general Calumniations; yet ſince it proceeds from a Perſon of his Eminency, I have thought fit, as well for the vindication of mine own Honour, as for the confirmation of the minds of his Majeſty's well-affected Subjects in their Loyalty, to repel his Slanders in the Preſs, as I doubt not by God's Aſſiſtance to do his Forces in the Field. Yet give me leave to wonder who they are that have ſuch an influence upon his Lordſhips Underſtanding, as to draw him in ſix Lines to publiſh to the World ſix groundleſs Aſperſions againſt a Perſon that hath not deſerved ill of him, without the leaſt provocation.

The firſt is, That *contrary to the Laws of the Land I have raiſed a great Army.* I might anſwer, That the Laws are indeed an excellent ſtandard and meaſure of Juſtice, ſo long as they are common to all Parties: But when they become like Spiders Webs to entangle ſome, and let thorow others; when ſome men muſt obſerve Law, and others will be free from all Law, it is the greateſt partiality, and the falſeſt meaſure in the World. And as our Saviour ſaid to the Phariſees, *If I by* Beelzebub *caſt out Devils, by whom do your Children caſt them out? they ſhall be your Judges.* So ſay I, If I be a Delinquent againſt the Laws for raiſing defenſive Arms by virtue of his Majeſty's Commiſſion (with whom alone the power of the *Militia* is entruſted by God and Man) what is the Lord *Fairfax* and his Partners for raiſing offenſive rebellious Arms againſt their fellow Subjects, without, nay againſt his Majeſty's Authority? But he hath appealed to the Laws; to the Laws let him go: Let him ſhew but any one Particle of the known Law, Statute or Common, which I have violated, and I ſhall lay down my Arms as cheerfully as I took them up. But if this be impoſſible (as without doubt it is) then ceaſe at length to tell us of Laws in the Clouds, or of Laws written in the Sybyls Books, which no man ever read or heard of but your ſelves. All true Engliſh men will diſdain to exchange their Inheritance, the ancient Laws of this Land (under which they and their Progenitors have already enjoyed ſuch happy and halcyon days, and hope ſtill for better from his Majeſty's greater Experience and late Acts of Grace) either for a Company of far-fetch'd dear-bought Principles, drawn without Art or Judgment, by factious and unskilful Perſons, out of

An. 1642. of the Law of Nature or of Nations, as a Lesbian-Rule to ſerve their ambitious ends; or for Arbitrary Government, which knows no bounds or limits, but the will of head-ſtrong diſcontented Perſons. With what face can theſe men name the Laws of the Land? when one of them hath lately told the World in print, That *they are but the Inventions of Men*; yea, *Moral Precepts, fitter for Heathens than Chriſtians.* In a word, I raiſe Arms by the Law, and for the Law, to protect the Laws and Religion eſtabliſhed; you, to ſubvert them both: I raiſe Arms under his Majeſty, for his Majeſty; you without him, againſt him, by virtue of your own Warrants. If it be not ſo, ſhew us but one Text, one Statute, nay, but one poor Caſe or Preſident for your Juſtification. And that you may ſee I am in earneſt, I deſire God to vouchſafe his Bleſſing and Aſſiſtance to that Party which ſtands truly and cordially for the Defence of the known Laws of this Realm, and to deny it to all others.

The ſecond Charge is, That *my Army conſiſts of Papiſts and other Malignants.* That I have in my Army ſome of the Romiſh Communion, I do not deny; yet but an handful in compariſon of the whole Body of it, I believe not above one of fifty; and I wiſh their Conſciences as well ſatisfied as my own of the truth of our Profeſſion: Theſe I admitted for their Loyalty and Abilities, not for their Religion, as was moſt lawful for me to do; a courſe warranted by the Examples both of God and Man, and chalked out to me by themſelves; yea, it was a note higher in them, in a War pretended againſt Papiſts, to make uſe of Papiſts in places of great truſt and command: nay, do they not ſtill admit all ſorts of Sectaries, Browniſts, Anabaptiſts, Familiſts, &c. I have demonſtrated the equity of this courſe to the World, which they know not how to Anſwer; the Fidelity of the one ſhall riſe up in judgment againſt the Rebellion of the other, and condemn it: certainly in this particular Service they ſhew themſelves better Friends to the Proteſtant Religion than the others. But they are not ſatisfied to rob me of them, unleſs they may ſweep away all the reſt under the ſtale and empty name of Malignants: I do not much blame them, their intended Work would be more eaſily atchieved. But let us enquire who in their Dialect are theſe Malignants; Are they who do not willingly part with their Religion, Laws, Liberties, Livelyhoods left them by their Fathers, upon Arbitrary Votes. So a Thief may term a true Man a Malignant, becauſe he doth refuſe to deliver his Purſe upon demand: So the Wolves in their Treaty of Accommodation with the Sheep, deſired the Dogs to be delivered up to them as Malignants. Thoſe have hitherto been eſteemed malignant humours in the Body Natural, which being ſtubborn, rebellious, venomous, are with difficulty reduced to their right temper, either by ſtrength of Nature, or skill in Phyſick; not thoſe which are not eaſily infected, or diſtemper'd. This is new Learning, and requires a new Dictionary to warrant it. Before they conclude them malignant, they ſhould do well to prove them to be *peccant* againſt any authentick Rule: The Apoſtle ſaith, *Where there is no Law, there is no Tranſgreſſion;* To Accuſe boldly, is not ſufficient to convince. If a common Adverſary did not keep them in a kind of *Herodian* unity for a time, your Browniſts would ſoon condemn your ordinary Diſciplinarians for Malignants, and your Anabaptiſts again your Browniſts, &c.

Thirdly, You charge me *to have invaded this County of* York. An inſolent and preſumptuous Challenge. Can the King's Forces be ſaid to make an Invaſion in his own Dominions? The ſecond blow may be ſaid to make the Fray, but it is the firſt that makes the Invaſion. Say in good earneſt, Did not your Forces firſt make Inrodes into the Biſhoprick of *Durham*, under my Charge? where they had no pretence of employment.

Did

Did they not rob and plunder ſundry of his Majeſty's Liege People at *Darnton*, in ſuch cruel manner, that the prime Officer of the Town died of grief within three or four days? Did they not give an Aſſault upon *Piers-bridge* to their loſs? And when I came to chaſtiſe theſe Intruders, can it be called an Invaſion? Neither did I then ſet foot into this County, but upon the earneſt ſolicitation and intreaty of the prime Nobility and Gentry of *Yorkſhire*, to ſecure them from your Violence and Oppreſſion. If Protection be Invaſion, then this is Invaſion. I could nouriſh little hopes that theſe reſtleſs Spirits, who could not be bounded within their own Calling, would be contained within the limits of a County: Or that they would ſpare me any longer, then until they had fully ſubdued their Neighbours and fellow Subjects at home. Neither could I have been ever able to have given an Account to his Sacred Majeſty for ſuch an unpardonable omiſſion, if being armed by his Goodneſs with ſufficient Power to repreſs ſuch Tumultuous Diſorders, I ſhould ſee before mine eyes his loving and loyal Subjects trampled upon by his and their Enemies, in his Cauſe, and for his ſake, and whilſt they ſeek to me for ſuccour, I ſhould be wanting in my Duty to my dread Soveraign, and my neceſſary aſſiſtance to them. All this while the *Lincolnſhire* Forces are quite forgotten, they were Brethren, no Invaders. 18 *Caroli.*

The fourth Charge ariſeth yet higher, *For killing and deſtroying ſome numbers of the religious proteſtant Subjects.* Where did ever my Forces kill one man who die not take up Arms againſt us, or was not ready to have kill'd us firſt if he could? The weight of guiltleſs blood is more heavy than a Mountain; the ſtain thereof not to be waſhed out with all the Water in the Ocean, but only by the Tears of Repentance, and the Blood of Chriſt. This weight and guilt of Blood ſhall lye heavy upon the heads of thoſe men, and of their Seed after them, who have been the Authors and Fomenters of theſe horrid diſtractions, when *Peace ſhall be upon the head of our Soveraign and his Seed, and his Throne for ever. They that take the Sword* (without lawful calling) *ſhall periſh by the Sword.* And *he that ſheddeth man's blood* without a Commiſſion from the King of Heaven, who only hath original Power over the Lives of his Creatures, and no multitude of men in the World, collective or repreſentative, whatſoever) *by man ſhall his blood be ſhed.* The ſupreme Magiſtrate is God's Vicegerent, and *beareth not the Sword in vain.* But thoſe who preſume to uſe the Sword, and can derive no Power from him, it were meet for them to make their Accounts betimes with God, leſt they dye in the eſtate of Murtherers both of themſelves and others, both of Soul and Body. It is an eaſie thing for an Orator to caſt a miſt before the Eyes of vulgar People, and make them a plauſible Diſcourſe of the *Cauſe of God*, the *true Religion, of ſuppreſſing Superſtition and Idolatry*, and *ſetting up the right Worſhip of the Lord.* They had hard hearts, if they could not afford themſelves a good word. But admitting not granting, all this to be true (which is moſt falſe) will this Plea yet ſerve before the Judge of Heaven and Earth? Nothing leſs. Theſe very men, and their Predeceſſors, have taught the contrary, have proteſted the contrary, have printed the contrary, *Ante mota certamina*, before theſe unhappy differences began, whilſt mens eyes were not faſcinated with Faction and Prejudice: Then themſelves condemned this very Doctrine which now they practice, as *Antichriſtian and Anabaptiſtical*; and their preſent practice which they now defend, as *ſeditious and ſinful*: this would be truly laid to heart. And withal, That if the Lord *Fairfax* and his Friends had been men of their words, or performed that Agreement to which Honour and Juſtice did oblige them, all the blood which

An. 1642. which hath been ſpilled, or ſhall be ſhed hereafter in this Cauſe, had been ſaved; and upon their ſcore it will be caſt in the end, both by God and Man. It would be known who they are, whom emphatically (if not excluſively) he calls Proteſtants: Are they the Succeſſors in Doctrine of thoſe firſt Reformers in *Germany*, whom from a Proteſtation made, they named *Proteſtants?* No, what theſe old Proteſtants allowed and practiſed as lawful and neceſſary, theſe new Proteſtants condemn as ſuperſtitious and antichriſtian. This is beyond the Power of Omnipotency, to make both parts of a Contradiction to be true; Proteſtants, whilſt they continue the ſame, to be no Proteſtants; and no Proteſtants to be Proteſtants. If they do cordially love the thing, as they do hug the Name, why do we not all ſhake hands, and become Friends.

And ſo from murthering their Bodies, he proceeds to ſtarving their Souls; that is, by *baniſhing and impriſoning the zealous Miniſters*: This is my fifth Charge. I envy no man's zeal, but wiſh them Diſcretion proportionable to their Devotion. To ſatisfie their Charge home, firſt, *de jure*, what may be done. It hath ever been accounted lawful to bind a phrenetick man's hands: Shall it be lawful for theſe ſeditious Orators to bring railing Accuſations from the Pulpits daily againſt the Lord's Anointed; ſuch as *Michael* the Arch-angel durſt not bring againſt the Devil, and yet be free from queſtion? May they proſtitute the Ordinance of God to the rebellious deſigns of ambitious men, yet be free from queſtion? Could theſe Ambaſſadours of Peace keep themſelves to that Theme, which was bequeathed to them by the Prince of Peace, they might long enjoy their Benefices and Liberties; yea, with ſome connivance to a truly tender Conſcience. But when a man may frequent their Sermons a whole year, and hear nothing but incentives to War, ſhedding the blood of the ungodly, and joyning with others to make a great Sacrifice to the Lord, may not a man juſtly ſay to them, as Queen *Elizabeth* ſometimes to an Ambaſſador, *Hei mihi! vocem Pacis expectavi, cur Belli clamorem audio?* Are not theſe the ſame men who teach in their own Caſe, That *he deſerves more rigorous puniſhment who ſhall infect the Souls of men with poiſoned Doctrine, then he that ſhall deſtroy their Bodies with poiſon.* Are not theſe the men who upon the ſame grounds have ſilenced or impriſoned, or to uſe their own phraſe, baniſhed from their Churches ſo many of our Reverend, Learned and Worthy Divines throughout the whole Kingdom, to ſub-introduce heterodox and contentious Perſons in their rooms? and may no man ſay to their Minions, not worthy to ſit at the feet of the other, *Domine cur ita facis?* Sir, why do you ſo? Or ſhall we once again bring in an exemption of Church-men privately at the back-door, which we have publickly thruſt out at the fore-door? Thus you ſee it might be done, even upon your own Grounds, in point of Right.

Now for the Matter of Fact, it is as much miſtaken as the Right; I have recollected my ſelf, I have inquired of my Secretary, yet can I not find one Miniſter by me either baniſhed or impriſoned. If any Miniſter, either before my coming or ſince, being apprehenſive of his own demerits, or out of a guilty Conſcience, without other compulſion did forſake his Church, and leave it as the Oſtridge doth her Eggs in the Sand, without care or proviſion, you cannot call this Baniſhment. Or if any of your Miniſters have aſſumed a Plurality of Profeſſions, and added the Sword to the Word, if my Officers ſhould meet with him in ſuch a Garb, might they not inquire *an hæc tunica Filii tui ſit*, and take him in his ſecond Capacity. Or laſtly, if the Juſtices of this County, who live upon the place, and do beſt know ſeditious Perſons, and the juſt Fears and Dangers of the County, have thought fit to reſtrain any man from doing hurt, was

I bound to give a Protection or a Superſedeas? when you inſtance in particular Perſons you ſhall receive particular Satisfaction. 18 *Caroli.*

And ſo from the Body and Soul he deſcends to the Eſtate, the laſt ſtep of his Accuſation, in theſe words, *And hath beſides done infinite ſpoil and waſte upon the good Subjects, plundering and taking away their Goods and Cattel, inſomuch as in many places, there are neither Men nor Cattle left to till the Ground* Lord! how theſe men are touched to the quick, when any man but themſelves dare offer to plunder, as if they deſired not only the free Trade, but even the Monopoly of plundering to themſelves. I know no ſuch places in this Country as he mentions; if there be any ſuch, without doubt they muſt needs know the deſolation which themſelves have made. But do they think with ſuch Clamours and Outcries to deaf the ears of men, and drown the Ejulations of poor People, whom they have harrowed. They have ſpared no Age, neither the venerable Old-man, nor the innocent Child; no Orders of Men, the long Robe as well as the ſhort hath felt their fury. No Sex, not Women, no not Women in Childbed, whom common humanity ſhould protect: No condition, neither Fathers nor Friends. They have ſpared no places, the Churches of Chriſtians, which the Heathens durſt not violate, are by them prophaned. Their Ornaments have been made either the ſupply of their Neceſſities, or the ſubject of their Scurrillities; their Chalices or Communion Cups (let them call them what they will, ſo they would hold their fingers from them) have become the objects of their Sacriledge, the Badges and Monuments of ancient Gentry in Windows, and Pedigrees have been by them defaced; Old Evidences, the Records of private Families, the Pledges of Poſſeſſions, the boundaries of mens Properties have been by them burned, torn in pieces, and the Seals trampled under their Feet. Ceilings and Wainſcot have been broken in pieces, Walls demoliſhed, (a thing which a brave Roman Spirit would ſcorn to tyrannize over, Walls and Houſes.) And all this by a company of Men crept now at laſt out of the bottom of *Pandora's* Box. The poor *Indians* found out by experience, that Gold was the *Spaniards* God; and the Country finds to their loſs what is the Reformation which theſe Men ſeek. At this very time I am informed they are executing the illegal Order for the Twentieth part of every man's Eſtate in *Craven*; This would be a ſufficient Anſwer for them, but not a ſufficient Plea for me.

Therefore in the ſecond place, I add, that my Caſe is clear different from theirs; There may be Treaſon againſt the King, there can be none againſt them. There may be Forfeitures of Eſtates to the King, none to them. The King may raiſe Arms and levy a juſt War; whatſoever they do in that kind is void by the Law of Nations; whatſoever they ſhall acquire in ſuch a Courſe, is not by Right, but a meer Nullity. No tract of time can wear away the unlawfulneſs of the firſt Acquiſition, but after an hundred years poſſeſſion, they are ſtill *malæ fidei poſſeſſores*, poſſeſs it with a bad Conſcience, and are bound to make Reſtitution.

Laſtly, For Matter of Fact, when I came firſt into this County, I made a publick Declaration againſt Plundering, (in print) which I have ſince endeavoured to obſerve. Yet that ſome men of their Party have ſuffered in their Eſtates I do readily grant, that is, either ſuch as have abſented themſelves, or have refuſed to pay thoſe Proportions of Money which were impoſed upon them by the County. But whatſoever hath been done in that kind hath been done by the Gentry or the Committees by them named, with as much moderation as the preſent Exigence of Affairs would permit, wherein I have rather acted the part of their Miniſter, to execute what they reſolved, then looked upon that great Truſt which his

An. 1642.

Majeſty hath impoſed upon me. So I have done with the Charge.

The Lord *Fairfax* requires all Parties to appear, and I command them all upon their Allegiance to ſtay at home. They may perhaps come thither without danger, but the difficulty will be to get ſafe back again, *ſed revocare gradum, hic Labor hoc Opus eſt*, and afterwards to avoid certain puniſhment for theſe Tumultuous and Rebellious Meetings. It were a more conſcionable and diſcreet part of them, to repair all as one unanimous Body to their Soveraign's Standard, and drive out theſe Incendiaries from among them, who have been the true Authors of all the preſſing Grievances and Miſeries of this County.

Withal, his Lordſhip talks of driving me and mine Army out of the County; he knows this cannot be done without a Meeting. If it be not a flouriſh, but a true ſpark of undiſſembling Gallantry, he may do well to expreſs himſelf more particularly for time and place: This is more conformable to the Examples of our Heroick Anceſtors, who uſed not to ſpend their time in ſcratching one another out of holes, but in pitched Fields determined their Doubts; This would quickly ſet a period to the Sufferings of the People, unleſs he deſire rather to prolong thoſe miſerable Diſtractions, which were begun with breach of Promiſe. It were pity if his deſires lead him this way, but he ſhould be ſatisfied: And let the God of Battels determine the right of our Engliſh Laws and Liberties.

Ferdinando Lord *Fairfax*, General of all the Northern Forces raiſed, and to be raiſed for the *King* and *Parliament*; To all and ſingular the Majors, Bailiffs, Aldermen and other Magiſtrates, and to the Miniſters of the Churches within the Weſt-Riding of the County of *York*, and to every of them.

FOraſmuch as the *Earl of* Newcaſtle, *contrary to the Laws of the Land hath raiſed a great Army of Papiſts and other Malignants, and with them Invaded this County of* York, *killing and deſtroying ſome numbers of religious Proteſtant Subjects, baniſhing and impriſoning the zealous Miniſters, and hath beſides done infinite ſpoil and waſte upon the good Subjects, Plundering and taking away their Goods and Cattel, inſomuch as in many places there are neither Men nor Cattel left to till the Ground. Theſe are therefore to deſire and command you reſpectively to cauſe to be publiſhed and proclaimed in all the Churches and Markets of this County, That all Men of able Bodies and well-affected to the Proteſtant Religion, are required with the beſt Weapons and Furniture for the War that they have, to aſſemble, come in, and aſſiſt me and the Army under my command, in expelling and driving away out of this County the ſaid Army of Papiſts, and common Enemies of the Peace, each Man bringing with him neceſſary Victual for four days; only the ſaid Forces thus to be raiſed, to draw down to the ſeveral places of Rendezvous hereafter named, that is, The Weſt-Riding Men to* Sherbourn *and* Abberford; *The North-Riding Men to* Tollerton *and* Awne, *And the Eaſt-Riding Men to* Stamford-bridge, *all of them to be there on* Munday *night next, and ſo to march forward as they ſhall be ordered by Command that ſhall meet them at the places aforeſaid. And for ſo doing, this ſhall be your Warrant.*

Given under my Hand and Seal *Febr.* 2. 1642. *F. Fairfax.*

To John Taylor, *one of the Conſtables of* Skirack, *to procure this to be publiſhed within your Diviſion.*

The

18 *Caroli.*

The Answer of Ferdinando *Lord* Fairfax, *to a Declaration of* William *Earl of* Newcastle, *&c.*

THere is come to my hands a printed Paper, Entituled, *A Declaration of the Earl of* Newcastle, wherein he assumes an Intention to answer and vindicate himself from the six Aspersions pretended to be cast on him in my Warrant, dated *Febr.* 2. 1642. I must confess there wants no flourish of Art nor Language in the Declaration to deceive an inconsiderate multitude, though to any judicious Reader, it will rather show that the Earl of *Newcastle* is galled and angry with the Warrant, then able to clear himself of those just Charges laid upon him in it; so that I might well spare the pains of replying to it, if I had not a desire to undeceive the misguided Opinions of that Multitude, of which a great part do either lead or follow his Lordship in the destructive Counsels that have endangered the ruine of the Religion and flourishing State of this Kingdom: And therefore though I want a Press to divulge my Conceptions, yet I shall make use of my Pen to satisfie all impartial Judgments that every point in the ground of that Warrant is most evidently true, wherein I shall observe his Lordships order, and begin with the defence of the first and second Charges. That his Lordship hath, contrary to the Laws of the Land, raised a great Army of Papists and other Malignants, I hope no man is, or ought to be ignorant, that by a special Statute declarative of the Law, it is Enacted, That the free Subjects of *England* shall not be press'd to serve in the Wars without their own consent in Parliament: And by Judgment lately passed in Parliament, and executed, it is deemed to be High Treason to levy War, or to Counsel the King to levy War within this Kingdom, in such manner as the Earl of *Newcastle* hath done, and by sundry other Statutes it is provided, That Recusants shall neither bear Arms, nor be suffered to have them in their Houses, as inconsistent with the Safety and Peace of the Kingdom, and of the Religion therein established; and yet nevertheless the Earl of *Newcastle* hath, contrary to the known Law of the Land, pressed and constrained the Subjects to serve in this War, and many Extremities have been by his order put upon those that refused: and hath raised and armed the Recusants, and with their Forces levied a War in the Land. And all this pretended to be done under pretence (if any man hath faith enough to believe it) for defence of the Protestant Religion, and the Laws of *England*.

For the third Charge, That with this Army unlawfully raised, he hath invaded this County, it is too true, and so plain, as his Lordship seeks colours and arguments, rather to justifie than to deny it; and therefore I shall not need to say much to justifie the truth of the Charges, only I shall desire the Reader to observe this, that where his Lordship saith, The King's Forces cannot make Invasion in his own Dominions; it may be justly suspected that the King's Name and Authority in this particular, are misguided and misapplied, seeing his Majesty hath often and solemnly promised, not to make this County the Seat of a War, and therefore withdrew his own Forces from thence; and this suspicion receives more strength by the Earl of *Newcastle*'s own frequent Confessions, That he undertook this Invasion upon the earnest intreaty of some of the Nobility and Gentry of this County.

For the fourth Charge, The Earl of *Newcastle* doth not deny it, but he indeavours to extenuate the Fact by Allegation, that he hath killed nor destroyed none of the religious Protestant Subjects, but such as take up Arms against him and his Assistants, which are already confessed by him to

An. 1642. be partly Papiſts, and all now proved to be unlawfully raiſed and employed, and whoſoever will conſider the Attempts of that Army at *Tadcaſter* and *Bradford*, and their Oppreſſions at *Leeds*, *York*, and other places of the County, where they have practiſed all manner of Tyranny upon mens perſons, and carved what they need or pleaſe out of other mens Eſtates without payment, will eaſily conclude that it is both more Chriſtian like, and more lawful and becoming a loyal Engliſh man, to dye in his own defence, then to ſuffer both Body and Soul to be inflamed by the violence and practice of ſuch Enemies. In this fourth Article, the Earl of *Newcaſtle* takes liberty of extravagant expreſſions to infuſe into the vulgar two of his Opinions; Firſt, That I, and thoſe with me, take up Arms without lawful warrant from the King: Secondly, That if I had performed that Agreement, which he alledgeth I was bound unto in honour and juſtice, all the blood ſpilt in this Cauſe had been ſaved. Both the Charges, as moſt part of the Declaration, ſeem by the cited Authority, to have more in them of the Jeſuit than of the States-man or Lawyer; for the Earl of *Newcaſtle* cannot be ignorant, that I and thoſe aſſiſting me, act nothing which is not warranted, and directed by the King's greateſt and moſt infallible Councel, the Parliament, by whoſe advice the King either is, or ought to be ruled, and by whoſe powerful and prudent counſels and aſſiſtance, this Monarchy hath been ſupported for many hundred of years, and my Prayers are that it may ſo ſubſiſt to the Worlds end. And for the ſecond, it is not unknown to all men curious to know the truth, that tho' the Agreement which the Earl of *Newcaſtle* ſeems to point at, was not concluded according to the inſtructions given by me, yet for avoiding of blood I obſerved it in all points, until the adverſe Party had infringed it in four ſeveral material branches, (which by divers Letters I repreſented to them) though never could obtain reparation, and until my own Houſe grew unſafe for me, the adverſe Party ſending me menacing Letters, and demanding reſtitution of Priſoners, as if no Agreement at all had been made: So that I cannot conceive how it ſhould be thought that I broke the Agreement, unleſs my Lord of *Newcaſtle* would have me tied to perform all Covenants, and allow the adverſe Party a Popiſh Diſpenſation, giving them liberty to violate all, and be tied to no Bounds nor Agreements.

And in this place I may properly take opportunity to tell the Reader, that four or five days before the making of that Agreement, Sir *John Savile* coming to meet me at *Leeds*, to view and order the Trained Bands according to the Ordinance of Parliament, and bringing ſome few of his Tenants and Neighbours with him to ſhew their Arms, they were laid in wait for, and ſet upon by the Troops commanded by Sir *Thomas Glemham* and Sir *John Goodrick*, and other Forces, who ſlew three of the Company, and made Sir *John Savile* and all the reſt Priſoners: And this was the firſt guiltleſs blood ſhed in this County ſince the King left theſe Parts, and at whoſe hands it will be required the World may judge.

For the firſt Charge excepted againſt by the Earl of *Newcaſtle*, the Goals at *York* and *Pomfret* can witneſs with me, that I have not wrong'd his Lordſhip; for in them he hath impriſoned the Miniſters of *Knaresborough*, *Newton*, *Beningborough*, *Edlinton*, and ſundry other places; and he hath baniſhed from their Cures Mr. *Carter* the Miniſter of *Aywortb*, Mr. *Tod* of the New Church of *Leeds*, Mr. *Nolſon* of *Holebeck*, Mr. *Hawkeſworth* of *Hunſlet*, Mr. *Headcoat* of *Ardſley*, and the Miniſters of ſundry other places, being all of them Men of blameleſs Doctrine and Converſation, and allowed by God and Man to hold their Cures; and then what Authority the Earl of *Newcaſtle* hath to impriſon or drive them from it, is to me unknown.

The

The ſixth Charge, touching Plunders done by his Men, he doth not deny, but takes no notice of the Particulars, which indeed are infinite; but he ſpends much labour to aſperſe me with the ſame Crime, of which I am confident the Country will acquit me, who know full well how I deteſt ſuch Tyranny, and how careful I have been to ſuppreſs the inſolence of the Soldiers that way, and to cauſe reparation where I found any ſuch Acts have been done by the Forces really under my command, and I wiſh the Earl of *Newcaſtle* would do the like, that ſo all Mens Purſes that are filled by ſuch unjuſt Gains, might be left as empty as when they began to practiſe thoſe deteſtable Courſes. 18 *Caroli.*

And to conclude, The Declaration quarrels with my Warrant, that talks of driving him out of the County, which truly I think all men that affect Religion or Peace, have great cauſe to deſire.

And therefore without following the Rules of *Amadis de gaule*, or the Knight of the Sun, which the language of the Declaration ſeems to affect in appointing pitch'd Battels, I ſhould moſt willingly deſign both Time and Place to decide the Controverſie in a fair Field, if the Sufferings of the Country could be determined in one day, or if the Adverſaries could be conſtrained to obſerve my Appointments. But both theſe being either impoſſible or improbable, all I can ſay in anſwer of the Concluſion is, that whereſoever I find an opportunity to offer battel to his Lordſhip, I ſhall take it for a great Honour that I may do him that Service; and I hope all men that have obſerved the Reſolution of my Army at *Tadcaſter* and *Leeds*, will eaſily believe me.

An Ordinance of the Lords and Commons aſſembled in Parliament, exhorting all his Majeſty's good Subjects in the Kingdom of *England* and Dominion of *Wales*, to the duty of Repentance, as the only remedy for their preſent Calamities, *Feb.* 15. 164$\frac{2}{3}$.

THat flouriſhing Kingdoms have been ruin'd by impenitent going on in a courſe of ſinning, the ſacred ſtory doth plainly tell us; and how neer to ſuch a ruine our ſinful Nation now is, the preſent lamentable face of it doth too apparently ſhew. And though we ſhould feel the heavy ſtroaks of God, yet ſeven times more, it is our duty to accept the puniſhment of our iniquity, and to ſay, *Righteous art thou, O Lord, and juſt are thy Judgments.*

Yet becauſe the Lord who is juſt, is alſo merciful, and in his infinite Mercy hath left the excellent and ſucceſsful remedy of Repentance to Nations brought near to the Gates of Deſtruction and Deſpair, O let not *England* be negligent in the Application of it. Humble Addreſſes of a Penitent People to a merciful God hath prevailed with him. They prevailed for *Nineveh* when the Sentence ſeemed to be gone out againſt her, and may alſo prevail for *England.*

It is therefore thought moſt neceſſary by the Lords and Commons in Parliament, That all his Majeſty's Subjects in this Kingdom of *England*, be excited and ſtirred up ſpeedily to lay hold upon this only and unfailing Remedy of Repentance; freely acknowledging, and heartily bewailing, even with deepeſt humiliation, godly ſorrow, and deteſtation, ſecretly and in Families, but eſpecially publickly in Congregations, both their own perſonal ſins, and chiefly thoſe ſins that are and have been the ſins of this Nation: A Confeſſion of National ſins being moſt agreeable to the National Judgments under which the Land groans, and moſt likely to be effectual for the removing of them.

Neither ought this Confeſſion to be ſlight or light when there is ſo heavy a weight of ſins, infinite in number, and heinous in nature, that lies upon this Nation. Such are the high Contempt of God's holy Ordinances, and of Holineſs it ſelf: Groſs and affected Ignorance under the glorious light of the Goſpel clearly ſhining among us; unfruitfulneſs under the precious means of Grace, Ingratitude for Mercies, Incorrigibleneſs under Judg-

An. 1642. Judgments, multitudes of Oaths and Blaſphemies, wicked Prophanations of the Lord's Day, by Sports and Gamings, formerly encouraged even by Authority; All ſorts of Uncleanneſs; Luxury and Exceſs in Eating and Drinking; Vanity, Pride, and Prodigality in Apparel; Envy, Contention, and unnatural Diviſion; Oppreſſion, Fraud, and Violence. From divers of which ſins, and many other, not one Perſon throughout the whole Nation can ſay that he is wholly free; but all muſt confeſs that they have contributed toward the great ſtock of National ſins, and ſo have increaſed the Treaſure of wrath againſt the days of wrath; and therefore ſince, according to the Language of the Holy Ghoſt, *we are a ſinful Nation, a People laden with Iniquity, and that from the ſole of the foot to the head, there is no ſoundneß in us*, we may juſtly expect the Deſolations that are denounced againſt ſo great and general a Corruption.

And as it is our Duty to humble our ſelves, and to give glory to God, the ſearcher of all hearts, by confeſſing all ſins: So ought we to be affected and humbled with deepeſt ſenſe of ſorrow, for thoſe moſt crying ſins which now we find, by too ſad experience, to have a more immediate influence upon the Deſtruction of a Kingdom; ſome of which are Idolatry and Bloodſhed.

That of Idolatry, as it was the ſin of our Anceſtors, ſo it is the ſpreading ſin of theſe latter times, while by a general connivance, and almoſt toleration, it hath been ſeveral ways fomented and encouraged: The grievous effects whereof this Kingdom of *England* now begins to feel, from multitudes of armed Papiſts and their Abettors; and the Kingdom of *Ireland* far more heavily hath felt; being brought almoſt to utter ruine, by the inteſtine Wars of Romiſh Idolaters.

And for the other crying and cruel ſin of Bloodſhed, that calls aloud for Vengeance (beſides many Murders not expiated, and the blood-guilty pardon'd) did it not go hand in hand with that abominable Idol of the Maſs in the days of Queen *Mary*, and ſome of her Predeceſſors, when many hundreds of the dear Martyrs and Saints of God loſt their precious lives in Flames and Priſons? And though ſeveral Acts by which that innocent blood was ſhed, have been repealed by Parliament, yet to this very day was never ordained ſuch a ſolemn Publick and National Acknowledgment of this ſin, as might appeaſe the wrath of that jealous God, againſt whom, and againſt whoſe People, with ſo high a hand it was committed.

Now that all the ſin and miſery of this polluted and afflicted Nation may be bitterly ſorrowed for, with ſuch grief of heart, and preparedneſs for a thorow Reformation, as God may be pleaſed graciouſly to accept; it is required and ordained by the Lords and Commons in Parliament, That every Miniſter and Preacher of God's Word in the Kingdom of *England* and Dominion of *Wales*, in their ſeveral Auditories and Congregations, eſpecially upon the Faſt-days, ſhall moſt earneſtly perſwade and inculcate the conſtant practice of this publick Acknowledgment and deep Humiliation for theſe, and all our National and crying ſins, and likewiſe the neceſſity of a Perſonal and National Reformation, and ſhall publiſh this Ordinance concerning the ſame; that ſo at length we may obtain a firm and happy Peace, both with God and Man, that Glory may dwell in our Land, and the Proſperity of the Goſpel, with all the Priviledges accompanying it, may Crown this Nation unto all ſucceeding Ages.

Die Mercurii, 15 Febr. 1642.

Ordered by the Lords and Commons in Parliament aſſembled, That this Ordinance be forthwith printed and publiſhed, and read in all Pariſh Churches and Chappels throughout the Kingdom of England *and Dominion of* Wales, *by the Parſons, Vicars, and Curates of the ſame.*

John Browne, Cleric. Parliament.

By

18 *Caroli.*

By the KING.

His Majesty's Proclamation, forbidding all his loving Subjects of the Counties of *Kent*, *Surry*, *Sussex*, and *Hampshire*, to raise any Forces without his Majesty's consent, or to enter into any Association or Protestation for the Assistance of the Rebellion against his Majesty, *Febr.* 16. 164$\frac{2}{3}$.

WHereas we have been informed of certain Propositions agreed upon by some seditious Persons of our several Counties of Kent, Surry, Sussex *and* Hampshire, *for an Association betwixt the said Counties, to raise an Army of* 3000 *Foot and* 300 *Horse, and great Sums of Money for the maintenance thereof, and an invitation to our good Subjects of that County, to enter into a Protestation to assist them in this odious and unnatural Rebellion; We do hereby declare for the satisfaction of all our loving Subjects of those Counties, and that they may not be seduced from their Obedience by the cunning and subtilty of those men, That the entry into such an Association and Protestation, and raising of Men or contributing Money upon the same, is an Act of High Treason, and an endeavour to take away our life from us; And we do therefore straitly charge and command all our loving Subjects whatsoever, upon their Allegiance, not to enter into any such Association or Protestation, and such, as by colour of such Authority have assembled together, that they immediately disband and repair to their Houses. And we do once more renew our offer of a free and gracious Pardon to all our Subjects of our said four several Counties, excepting those whom we before excepted in our several Proclamations concerning those our Counties, against all which we shall proceed according to the Rules of the Law, as against persons guilty of High Treason, and whom we do hereby require all our Officers and Ministers of Justice, and all our loving Subjects whatsoever, to apprehend and cause to be kept in safe Custody. And our express pleasure is, and we do hereby will and command all the several Tenants of the persons excepted in our Proclamation for those four Counties of* Kent, Surry, Sussex *and* Hampshire, *and all other persons who are any ways indebted unto them, and all the Tenants to any other person of any of the said Counties, who is now in actual and open Rebellion against us, or who after the publishing of this our Proclamation, shall contribute to the maintenance of the Armies now in Rebellion against us, under the conduct of* Robert *Earl of* Essex, *or of any other Person or Persons, or that shall joyn in any such traiterous Association or Protestation, That they forbear to pay any Rents or Debts due to the said several persons, but detain the same in their hands towards the maintenance of the Peace of the Counties, and the reparation of such Men who have suffered by the violence of the others. And if any Soldier or Soldiers now under command against us in either of our said four Counties, shall within six days after the publishing of this our Proclamation, apprehend and bring before us, or any Officers of our Army, or any other our Minister of Justice, so that the person apprehended be kept in safe Custody, the bodies of any of the persons so excepted by us, or of any of the Commanders or Officers now in Rebellion against us in any of the said four Counties, such Soldier or Soldiers, besides their Pardons, shall receive such liberal Rewards by Pensions, or otherwise, as their several Services in respect of the qualities of the persons so apprehended shall deserve. And if any Commander or Officer (except the persons so excepted) now in Rebellion against us, in any of the said four Counties shall within five days after this our Proclamation published, being con-*

An. 1642. *convinced in his Conſcience of his damnable Offence againſt God and us, in aſſiſting this odious Rebellion, return to his Allegiance and repair to our Army, and commit no hoſtile Act in the mean while againſt us, we ſhall not only pardon him, but ſo far imploy him as his quality and demeanour ſhall deſerve. And we do hereby require all our loving Subjects, of what degree or quality ſoever, within our ſaid four ſeveral Counties, upon their Allegiance, and as they tender the Cauſe of God, the Proteſtant Religion being invaded and threatned to be rooted up by* Anabaptiſts, Browniſts, *and* Atheiſts, *of us, and our Poſterity (our Life being ſought after by this Rebellion) and of themſelves (the Law and Liberty of the Subject being in apparent hazard to be ſubjected to an arbitrary lawleſs power, of a few Schiſmatical, Factious and Ambitious Perſons) to aſſiſt us in Perſon, or with the Loan of Money, Plate and Horſes in this our great Neceſſity. And having ſaid thus much out of our tender Regard of our Subjects of thoſe our Counties, if they ſhall henceforward be guilty of the Premiſſes, and ſhall either by Loan or Contribution aſſiſt the ſaid Army of Rebels, aſſemble and muſter themſelves in Arms without Authority derived from us under our Hand, or ſhall enter into any Oath of Aſſociation for Oppoſing us and our Army, and ſo compel us to ſend part of our Forces thither to Reduce them to their Obedience, they muſt Anſwer the Miſeries that muſt follow, to God and their Country. And our Pleaſure is, That this our Proclamation be read in all the* Pariſh *Churches and Chappels in the ſaid four ſeveral Counties.*

Given at our Court at *Oxford*, this Sixteenth Day of *February*, in the Eighteenth Year of our Reign.

The Deſire and Advice of the Lords and Commons in Parliament to his Majeſty, (ſent in a Letter from the Earl of Manchester *to the Lord* Falkland*) That the next Aſſizes and General Goal-Delivery may not be holden.*

The Houſes deſire that the Aſſizes be put off, *Febr.* 21. 164$\frac{2}{3}$.

THE Lords and Commons in Parliament humbly ſhew, That your Majeſty's Juſtices, and other Liege People, who are or ſhall be Summoned, or have other Cauſe to attend at the next Aſſizes and General Delivery appointed to be ſhortly kept in the ſeveral Counties of *England* and *Wales*, cannot reſort thither without great Peril of their Lives and Damage to their Eſtates, by reaſon of the preſent miſerable Diſtractions and being of Armed Forces in all parts of your Realm. In regard whereof, the Lords and Commons do humbly Adviſe and Deſire your Majeſty to Command, That the ſaid Aſſizes and General Goal-Delivery be not holden, as it is appointed, but that the ſame may be deferred until it ſhall pleaſe God to reſtore Peace unto your People.

His Majeſty's Gracious Anſwer.

The King's Anſwer.

HIS Majeſty hath weighed the Advice and Deſire of the Lords and Commons, ſent in a Letter to the Lord of *Falkland*, from the Earl of *Manchester*, concerning the putting off the General Aſſizes and Goal-Delivery, throughout the Kingdom: To which his Majeſty returns this Anſwer; That the preſent bloody Diſtractions of the Kingdom (which his Majeſty hath uſed all poſſible means to prevent, and will ſtill, to remove) doth afflict his Majeſty under no conſideration more than of the great interruption and ſtop it makes in the Courſe and Proceedings of Juſtice, and the Execution of the Laws, whereby his good Subjects are robbed of the Peace and Security they were born to; And therefore, as much

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as in him lies, he will advance that only means of their happineſs, at leaſt they ſhall ſee that their Sufferings that way proceed not from his Majeſty. And ſince they may now expect, by the Laws, Statutes, and Cuſtoms of the Kingdom, the Aſſizes and General Goal-Delivery in every County, his Majeſty thinks not fit to Command the contrary, but will take ſevere and preciſe order, That none of his good Subjects ſhall receive the leaſt prejudice as they repair thither, by any of his Majeſty's Forces; which Rule he ſhall be glad to ſee obſerved by others; and then he hopes, by the due Execution of the Laws, even theſe Publick Calamities may have ſome abatement, and the Kingdom recover its former Peace and Proſperity. 18 *Caroli.*

A Declaration of the Lords and Commons to put off the Aſſizes.

THE Lords and Commons taking into conſideration the miſerable Diſtractions and Calamities with which this whole Kingdom and Nation is now infeſted, the Face and cruel Effects of an unnatural Civil War being too viſible and apparent in all the parts thereof, and the Power of the Sword ſo prevailing, as that the Publick Juſtice of the Kingdom cannot be expected to be adminiſtred in a juſt and indifferent way, but that the Judges and Miniſters thereof may be terrified and awed by the power of armed men: And alſo for preventing of Inconveniencies which may happen by Aſſemblies of People in theſe Times of miſerable Diſtraction, have thought fit to order, and the ſaid Lords and Commons in Parliament aſſembled, do ordain and declare, That the ſeveral Judges and Juſtices of Aſſize and *Niſi prius*, and Juſtices of *Oyer* and *Terminer*, and Goal-Delivery, and their Aſſociates, and the Clerks of the Aſſize, and every of them, of, or within any of the Counties or Cities of *England*, and Dominions of *Wales*, do forbear to Execute any of the ſaid Commiſſions, or to hold or keep any Aſſizes, or Goal-Delivery, at any time during this *Lent* Vacation, or to iſſue out any Warrant for Summoning the Aſſizes within any County in which they ſhall be appointed Judges or Juſtices. And if they have already iſſued any, that they forthwith Revoke and Recall the ſame; And herein their ready and perfect Obedience is expected and required, as they will anſwer the Contempt and Neglect hereof, before the Lords and Commons in Parliament.

The Houſes Ordinance to put off the Aſſizes, *Febr.* 28. 164$\frac{2}{3}$.

Die Martis, 21 *Febr.* 1642.

WHereas in theſe Times of imminent Danger, there is by Order of Parliament a Fleet preparing for the Defence of this and other his Majeſty's Dominions, much greater than hath heretofore been uſual, preſently to go out, for the ſpeedy Manning whereof, with able Mariners, all poſſible diligence is to be uſed, it is this day thought fit and ordered by the Authority of both Houſes of Parliament, That nō Ships nor Veſſels whatſoever which now are, or ſhall come into the River of *Thames*, be permitted to go out thence upon any Voyage or other Occaſion, until the ſaid Fleet be compleatly Mann'd; Except ſuch whoſe juſt Occaſions ſhall appear unto the Lords and others, Commiſſioners for the Admiralty, to be ſo preſſing and urgent, that the Interruption of thoſe Ships would be a Prejudice to the State; And the ſaid Commiſſioners are to take notice of this Order, and to cauſe the ſame to be put in Execution accordingly.

Order to ſtop Ships, *Feb.* 21. 164$\frac{2}{3}$.

An. 1642.

By the KING.

A Proclamation for the ſpeedy payment of all ſuch Sums of Money as are due to his Majeſty for Cuſtoms, or other Duties upon Merchandizes, into his Majeſty's Receipt at his City of *Oxford*.

The King's Proclamation to pay Cuſtoms, *&c.* at *Oxford*, *Febr.* 23. 164$\frac{2}{3}$.

WHereas great Sums of Money are due to us, as well in our ancient Right, as by ſeveral Acts made this Parliament, for Cuſtoms, Duties, and Impoſitions upon Merchandize, which either have not been paid to our Farmers, Officers, or Collectors, or remain ſtill in their hands, whereby we have not in this our great Neceſſity the benefit of our own Revenue; We do hereby will and command all our Officers, Farmers and Collectors, in all and every of our Ports of this Kingdom, who have received any Duties, Cuſtoms or Impoſitions upon Merchandize due to us, either by any Act of Parliament, or in our ancient Right, ſince the beginning of this Parliament, That they forthwith pay all ſuch Sums of Money as remain in their Hands upon any ſuch Receipts, into the Receipt of our Exchequer *at our City of* Oxford, *and at, or into no other place. And we likewiſe will and command all ſuch Perſons who have entred into Bonds, or other Obligations, to any Miniſters, Officers, or Collectors of the ſaid Cuſtoms, for the payment of ſuch Duties, That they pay the ſame into our ſaid Receipt at our City of* Oxford, *and at, or into no other place. And we do hereby promiſe to ſave and keep harmleſs all ſuch Perſons from any Penalty or Damage by reaſon of ſuch Bonds. And we do expect a ſtrict Obedience to theſe our Commands from all Perſons whom it may concern, as they tender our Service, and will anſwer the contrary at their utmoſt peril.*

Given at our Court at *Oxford*, the Thirteenth of *February*, in the Eighteenth Year of our Reign.

The humble Advice, Petition, and Reaſons of the Lords and Commons now aſſembled in Parliament, to his Majeſty, why part of the Term ought not to be removed to Oxford.

The two Houſes Reaſons and Order againſt removing the Term.

THE Lords and Commons having taken into their ſerious Conſiderations a Proclamation, dated at *Oxon* the 27th of *Decemb.* laſt, for the Adjourning of the Court of *Chancery*, the Court of *Wards* and *Liveries*, the Dutchy of *Lancaſter*, the Court of *Requeſts*, the Recept of his Majeſty's *Exchequer*, and of the Firſt-Fruits and Tenths, from the City of *Weſtminſter* unto the City of *Oxon*; and for the Adjourning the Courts of *Kings Bench*, *Common Pleas*, and *Exchequer*, unto the Return *Craſt. Purificationis*, found it to tend much to the prejudice of the Commonwealth to remove the ſaid Courts and Receipts to *Oxon*, where the body of an Army raiſed againſt the Parliament and the Authority thereof now reſides; and therefore, in performance of their Duty and Truſt repoſed in them by the Kingdom, whom they repreſent, did exhibit their humble Advice and Petition to his Majeſty, with the Reaſons inducing them thereunto, to revoke the ſaid Proclamation, and with all humility deſire that the ſaid Courts and Receipts might be kept at their ſeveral uſual places and times, and not at *Oxon*: But his Majeſty giving ſtill more credit to the ſuggeſtions of thoſe wicked and malignant Perſons that yet encompaſs him, then to his higheſt and moſt faithful Councel, returned his Negative Anſwer, and

and expreſly denied to repeal his Proclamation: Now the Lords and Commons clearly diſcovering the great Inconveniencies and Miſchiefs that neceſſarily muſt happen to his Majeſty's moſt faithful and beſt affected Subjects, in caſe thoſe Courts and Receipts be removed to *Oxon*, where ſuch of them as have occaſion to attend, cannot with any ſafety to their Perſons or Eſtates repair, his Majeſty having in effect declared all Perſons that have contributed any thing in Aid or Defence of the Parliament and the Priviledge thereof, to be guilty of High Treaſon; and in purſuance thereof, by the force and power of the Army there remaining, have ſeized upon many of their Perſons, where they are detained Priſoners, and ſome proceeded againſt as Traitors, having nothing laid to their Charge, but their aſſiſting the Parliament, and oppoſing that Army raiſed to deſtroy it and the Kingdom; and finding that divers, both Judges and others, whoſe Attendance upon the ſaid Courts and Receipts will be neceſſary, conſiſt of Perſons that are Members and Aſſiſtants to both Houſes of Parliament, whoſe preſence at this time cannot be ſpared; and that if the Records neceſſary to be uſed in the ſaid Courts ſhould be removed from the uſual places towards *Oxon*, in a time when two Armies are reſiding near thereabouts, it would endanger the miſcarriage of them, which might ruine may of his Majeſty's Subjects, whoſe Eſtates depend thereupon, and and that ſo long a diſtance between the ſaid Courts of Law and Equity, which have neceſſary dependance one upon another, would prove exceeding prejudicial to many; Thought it their Duty, in diſcharge of the Truſt repoſed in them by the Commonwealth, as much as in them lieth to prevent the ſaid Inconveniencies, and therefore do hereby declare and order, that no Judge, Miniſter, or other perſon belonging to any of the ſaid Courts or Receipts, ſhall repair to the ſaid City of *Oxon*, or do or execute any thing belonging to the ſaid Offices and Imployments, but in places uſual for the doing and executing thereof; And that no Member of, or Aſſiſtant to any of the two Houſes of Parliament, that have any place, office, or employment, about any of the ſaid Courts or Receipts ſhall preſume to depart from their attendance upon the Parliament, without the ſpecial leave of that Houſe whereof they are Members or Aſſiſtants, and that no perſon ſhall remove, or cauſe to be removed, any Records or Writings of any the ſaid Courts or Receipts, to or towards the City of *Oxon*. And the Lords and Commons do declare, that if any perſon ſhall diſobey this Order, they will proceed againſt them as wilful Contemners of the Authority of Parliament, and diſturbers of the Peace of the Kingdom. And it is further declared and ordered by the ſaid Lords and Commons, That no Judgment, Decree, Order and Proceedings whatſoever, that ſhall be given, made, or had, by or in any of the ſaid Courts or Receipts, out of the uſual places where the ſaid Courts and Receipts have been accuſtomed to be held and kept, ſhall bind any perſon that ſhall or may be concerned therein, without his own voluntary conſent. And that the ſaid Lords and Commons will, by the Authority of both Houſes of Parliament protect and keep indempnified all Judges, Officers, and other Perſons from any Dammage or Inconvenience, that may or can happen to them for yielding Obedience to this Ordinance.

Ordered by the Lords and Commons aſſembled in Parliament, That this Declaration be forthwith printed and publiſhed.

Joh. Browne Cler. Parl.

18 *Caroli.*

THE Lord *Brook* having clear'd *Warwickſhire* from any Oppoſition, reſolved to Advance to *Staffordſhire*, the other County in his Commiſſion; but underſtanding that the Lord *Cheſterfield*, with about 300 men

The Lord *Brook* kill'd, and *Litchfield* taken by the Parliament *March* the 1ſt.

An. 1642.

men under his Command was at *Litchfield*, intended firſt to diſlodge them. So he took a Troop of Reformado's, and 400 Foot which he had from *London*, to whom he added 100 out of *Warwick* Caſtle, and 200 out of *Coventry*, and about 300 of the moſt forward of the Country that came and offered themſelves, a Troop of Horſe ſent him by Sir *John Gell*, and 100 Dragoons, in all about 1200 ſtrong; with theſe, and one Demi-culverin, and ſome ſmall Drakes, he advanced and came before the Town of *Litchfield* on *Wedneſday*, *March* the 1ſt. And after ſome hot, but ſhort Service, obliged my Lord *Cheſterfield* to leave the Town, who with his Forces retired to the Cloſe (or Yard belonging to the Minſter) a Place which by the ſtrength of Walls and otherwiſe, was much more defenſible; whilſt his Soldiers were Aſſaulting this Place, and particularly *Chad*'s Church thereto adjoyning, the Lord *Brook* being withdrawn into an Houſe to give Directions, as he was looking out of the Window for that purpoſe, a Musket-bullet ſtroke him near the left Eye, of which he immediately died; whoſe Death much enraged his Soldiers; and Sir *John Gell* ſupplying his place, proceeded with all imaginable vigour in their Attacks upon the Cloſe, and having thrown over many Granado's, and being ready to blow up the Wall, they within demanded Quarter, which was aſſented to, and the Place yielded, with ſtore of Arms, Money, *&c.* and my Lord *Cheſterfield* and his Son, and ſome other Gentlemen of Condition made Priſoners.

Brunningham taken by Pr. *Rupert*, and the Earl of *Denbigh* ſlain *April* 3. 1643.

But the Parliaments Forces enjoy'd it not long, for Prince *Rupert* on the 3d of *April* (having taken *Brunningham*, after the taking of which there was a ſhort Encounter between ſome of the Horſe that went out of the Town, and thoſe of the King's Party, in which the Earl of *Denbigh* was mortally wounded, and ſoon after died) The ſaid Prince joyning with the late Earl of *Northampton*'s Forces, Col. *Haſtings*, *&c.* advanced to *Litchfield*, and after ſome Reſiſtance entred the Town *April* the 8th, but the Cloſe held out till the 21ſt of *April*, and then his Highneſs having by a Mine blown up part of the Wall, they ſubmitted upon Terms, and were allowed to march out with Bag and Baggage under a Convoy to *Coventry*.

Litchfield taken by Prince *Rupert*, *April* 21.

During the time of this Siege his Majeſty ſent the following Meſſage to his Highneſs Prince *Rupert*.

A Meſſage ſent by his Majeſty to Prince *Rupert*, *Apr.* 18. 1643.

TRuſty and welbeloved Nephew Prince Robert, *although we know that* your own knowledge *and experience can conduct you in all Military Affairs, and that your loving affection unto us hath been approved by many Teſtimonies and real Demonſtrations in your conſtant and faithful Service, perſonally performed in our War, which we have endeavoured ſo much to decline, ſeeking and heartily purſuing after Peace, which deſires of ours cannot yet be obtained; we would have you therefore with us patiently wait the Divine opportunity, which can in a moment ſettle and compoſe the univerſal Diſtractions of our Kingdom, and by no means ſeek to anticipate Divine Revenge on our Subjects. For we are fully perſwaded that a great part of our loyal people do recant and deeply cogitate and think on the Fractions and Diviſions of our diſturbed State, and do wiſh that by ſome happy and effectual means they might be once cloſed again: But as the beginning is the hardeſt in all matters of importance, ſo now our Subjects being entred into this Laborinth of Errour and Refractory Diſobedience, cannot ſuddenly find out the Clew of Reaſon and Religious Loyalty to guide and lead them back again; the way of peace and accommodation is that which is portended to be ſo hard*

to

Caroli 18.

to find, and like absurd and weak Actions that can only fit their humour and fancy unto one part, so our Kingdom being now made the Stage of War, *they can present nothing but daily Skirmishes, taking of Towns, and many Hostile Passages, whereas instead of performing the parts of Soldiers, it would become them far better to fall down on their Knees, and with a loving Submission comply with us for the happiness and peace of our Kingdom, the ruine whereof* (as in other Countries) *must needs be the consequent and effect of a Civil War. We do thus open our mind unto you, that you may have a clear prospect into our merciful thoughts in the prosecution of this War, which we follow and maintain not voluntarily, but being necessitated thereunto, and we wish that our people had never been so far blinded and drawn into false Opinions of us and our integrious intents (as we shall answer one day, if it be our own faults before the high Tribunal) that we must use so sharp a Medicine as the Sword to cure their Malady and their deceived Understandings, and that ungrounded Opinion should prevail amongst them above all our former Royal Expressions, and pathetical implorations of Heaven, as the constant Witness of our Thoughts and Actions. But yet all this cannot make us forget our selves as they do; we will contain our selves within the limits of a King, and our good example shall wound our Subjects with the thought of their unkindness deeper than the Sword, which wounds but gently, but Conscience strikes home indeed; all our Subjects shall ever find us in the midst of Arms and successful Victories (which we attribute to God) merciful, and not in any thing desirous of the bloodshed of our people, and as* after the merciless Battel at *Edghill, we gave you our Nephew, and all our Soldiers, most hearty thanks for the great valour and loyal Service that day personally expressed; but yet withal we told you, That we were sorry there had been* so much effusion of Blood, *and* that all in both Armies were our Subjects, *for whose loss in that merciless Battel we were exceedingly and deeply grieved; so our tender Affections to our Subjects shall be ever such, that we shall always smart in their Calamities, esteeming them as our own. And as we have largely exprest how we stand affected to our people, and what our grief for them is, that this intestine Civil War should be still prosecuted to our and their great detriment, loss, and sorrow, so we would have you, welbeloved Nephew, and all others that imploy their endeavours to do us Service in an hostile manner, to mingle severity with mercy,* that your and their carriage, *and behaviour towards our Subjects, may gain upon their Opinions, and take their Affections rather than their Towns, that they may know our Army is the power of their King, armed not to their Destruction but Conversion; and therefore we lovingly charge and desire you our affectionate Nephew Prince* Robert, *to look on our People, in all your Marches and Attempts, as on our People and Subjects, capable of reclaiming, though now misled; we would have therefore all your Actions as derived from us, and the influence of our mercy* shew us a King tender *of the welfare of our Subjects, and as a Father will not deal with his offending Children with any rigorous violence, but doth declare his Justice with a compulsive unwillingness,* so do you imitate us *in carrying Affections and Intentions to our Subjects, not as Lions, but as Friends disagreeing, that may hereafter be happily reconciled; since it doth shew a Prince more near to Heaven to preserve than destroy. And since* this civil flame cannot be suddenly quenched, *let us not pull down the Kingdom into ruine and devastation, but go on with this War in a saving way since the loss is as great on our side as on our Subjects part, we send you this premonition, because we expect daily to be more engaged with Hostility, and great Forces are advancing towards us, with what intentions we know not, but such they appear, that we must resolve to oppose them and their pretences, as contradictory to our desires and commands, and prejudicial to the safety of*

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An. 1642. *our Perſon, and therefore we would have you know our Royal will and pleaſure is, to be merciful in all our deſigns whereunto we ſhall by the inſtigation of an Army advancing towards us be provoked, deſiring you and all our loving Subjects and Commanders to deal temperately, and with as much curteſie and humanity with all our other Subjects on the contrary part, as if all our performances and actions in hoſtile manner were by them neceſſitated, and not by us deſired, for though we have choſen* Oxford *yet a while to be our place of Reſidence, and of our Army, for the ſafety of our Perſon, we doubt not but that as the Soul is not contained in one but every part of the body, ſo our power will be ſo largely diffuſed and extended through all and every part of our Kingdom, that we ſhall not want ſufficient ſtrength to reſiſt any oppoſing Forces, if any be ſo impious to attempt ſuch violence againſt us, under ſpecious and fair ſhews and pretences. We know that our Army is much maligned, as if it were repugnant to the good of the Commonwealth to accept of our Subjects Service in theſe great and civil diſtractions, do you therefore good Nephew, by your managing all Affairs in this Civil War, teach our people to be undeceived in us their merciful King, let your fair Actions make it appear that you are no Malignants, no evil Counſellors, but that you ſtand in defence of us as much as they pretend to do, and that you ſeek not the ruine and deſtruction of our Kingdoms, which Aſperſions are caſt upon you which can be no acceptable Service unto us, that ſo all our Subjects may be convinced that all the Calamities which this Civil War ſhall introduce upon this Land, are occaſioned by malevolent Opinion and ungrounded Fury, and not from us; and as you have begirt and beſieged our City of* Litchfield, *ſo have a care of ſpilling or ſhedding innocent blood which is amongſt them; but ſpare when you may deſtroy, ſave where time and opportunity gives advantage: Let our Subjects, if they will or deſire it, have free quarter, and march with bag and baggage forth of our City, provided they do not uſe any Outrages, or offer violence to the ſaid Town of* Litchfield, *and hereof fail not as you deſire the good of us, who deſire nothing more than the good, happineſs and peaceable government of our Kingdom, and not the effuſion of the blood of our Subjects, Mercy being the higheſt Attribute of a King.*

The Poſtſcript.

Your Highneſs may underſtand by this Letter his Majeſty's real intentions, how your Princely thoughts ought to be ſteered in your Reſolutions, and in all your Warlick Affairs and Enterprizes,

SIR,

From the Court at Oxford, April 18. 1643. *I am yours to Command,* Edm. Nicholas.

March 1642. An Ordinance to raiſe 34108 *l.* 13 *s.* *per* week.

The two Houſes ſet forth an Ordinance in the beginning of this Month, reciting, That being fully ſatisfied and reſolved in their Conſciences, that they have lawfully taken up Arms, and may and ought to continue the ſame for the neceſſary defence of themſelves and the Parliament from violence and deſtruction, and of this Kingdom from forreign Invaſion, and for the bringing of notorious Offenders to condign Puniſhment, which are the only Cauſes for which they have raiſed, and do continue an Army and Forces, which cannot poſſibly be maintained, nor the Kingdom ſubſiſt without the ſpeedy raiſing of large and conſiderable Sums of Money proportionable to the great Expences which now this Kingdom is at for the ſupporting of the ſaid Army, and for the ſerving of the whole Kingdom, our Religion, Laws, and Liberties from utter ruine and deſtruction; which that it may be done with as much eaſe and indifferency to the good Subjects, as the exigency of the Times will permit, the ſaid Lords and

and Commons do ordain, That the weakly Sums therein mentioned ſhall be charged, rated, taxed and levied on the ſeveral Counties, Cities, Towns, &c. *viz* upon the City of *London* the Sum of 10000 *l. per* week, *Weſtminſter* 1250 *l. Middleſex* 750 *l.* &c. amounting in the whole throughout *England* and *Wales*, to Thirty four thouſand one hundred and eight pounds and thirteen ſhillings *per* week. But by this Ordinance the ſame was to continue but for 3 Months, and though they rated all the Counties, yet they would only levy it on the places in their own power. 18 *Caroli*

An Order of the Commons againſt lying Pamphlets, *March* 6. 1642.

IT is this day ordered by the Commons Houſe of Parliament, That the Committee for Examinations, or any four of them, have power to appoint ſuch perſons as they think fit to ſearch in any Houſe or Place, where there is juſt cauſe of ſuſpition, that Preſſes are kept and employed in the printing of ſcandalous and lying Pamphlets, and that they do demoliſh and take away ſuch Preſſes and their Materials, and the Printers Nuts and Spindles which they find ſo imployed, and bring the Maſter-Printers and Workmen Printers before the ſaid Committee; And that the Committee, or any four of them, have power to commit to Priſon any of the ſaid Printers, or any other perſons that do contrive, or publickly or privately vend, ſell, or publiſh any Pamphlet, ſcandalous to his Majeſty, or the proceedings of both or either Houſes of Parliament, or that ſhall refuſe to ſuffer any Houſes or Shops to be ſearched, where ſuch Preſſes or Pamphlets as aforeſaid are kept; and that the perſons employed by the ſaid Committee, ſhall have power to ſeize ſuch ſcandalous and lying Pamphlets as they find upon ſearch, to be in any Shop or Warehouſe, ſold, or diſperſed by any perſon whomſoever, and to bring the perſons that ſo kept, publiſhed, or ſold the ſame, before the Committee; And that ſuch perſons as the Committee ſhall commit for any the Offences aforeſaid, ſhall not be releaſed till the Parties employed for the apprehending of the ſaid perſons, and ſeizing their Preſſes and Materials, be ſatisfied for their pains and charges. And all Juſtices of the Peace, Captains, Officers, and Conſtables, are required to be aſſiſting in the apprehending of any the perſons aforeſaid, and in ſearching of their Shops, Houſes, and Warehouſes; And likewiſe all Juſtices of Peace, Officers, and Conſtables, are hereby required from time to time to apprehend ſuch perſons as ſhall publiſh, vend, or ſell the ſaid Pamphlets. And it is further ordered, That this Order be forthwith printed and publiſhed, to the end that notice may be taken hereof, that the contemners of this Order may be left inexcuſable for their Offence.

An Ordinance and Declaration of the Lords and Commons aſſembled in Parliament, for fortifying the City, *March* 7. 164$\frac{2}{3}$.

IT is this day ordered by the Lords and Commons in Parliament, That the Lord Mayor and Citizens of the City of *London*, for the better ſecuring and ſafety of the ſaid City, Suburbs, Parliament, City of *Weſtminſter*, and Borough of *Southwark*, ſhall have power to intrench and ſtop all ſuch high ways, and by-ways leading into the ſaid City, as well within as without the Liberties, as they ſhall ſee cauſe; And ſhall alſo have full Power and Authority according to their diſcretion, to fortifie and intrench the places aforeſaid with ſuch Out-works, and in ſuch places as they ſhall think meet; And for his and their furtherance and aſſiſtance, to call in all or any Deputy-Lieutenants, Juſtices of the Peace, Bailiffs, Conſtables, and other Miniſtres, Officers, and other his Majeſty's loving Subjects to be aiding and aſſiſting, as they will anſwer the contrary at their peril. And it is further ordered, that the Deputy-Lieutenants, and Juſtices of Peace for the County of *Middleſex* and *Surry*, City of *Weſtminſter* and Borough of *Southwark*, or any three or more of them, within their ſeveral and reſpective

An. 1642.

ctive limits, ſhall have power to impoſe upon the Inhabitants within the ſaid Trenches and Fortifications, and without the Liberties of the ſaid City, towards the charges of fortifying the ſaid places as aforeſaid, upon every Houſe that ſhall be let for, or may be valued worth five pound *per* year, ſix pence: and for every Houſe of greater Rent after the proportion of two pence in the pound, that the Tenant of the ſaid Houſe payeth, if he hold it at a Rack-rent, or otherwiſe, after the rate that the ſaid Houſe ſhall be valued to be worth; which Aſſeſſment ſhall be forthwith made and collected in all the Pariſhes, Precincts and Liberties aforeſaid, and paid to the Treaſurer choſen, or to be choſen, by the Common-Councel of the City of *London*, to be disburſed as aforeſaid, the ſaid Money to be paid by the ſaid Tenant or Inhabitant where Houſes are inhabited, who is to deduct the ſame out of his next Rent payable to the Landlords, if it be a Rack-rent, and by the Landlords where Houſes ſhall ſtand empty: And it is further ordered, That whereas the Common-Councel of *London*, have in this time of imminent danger paſſed an Act for the fortifying of the City of *London*, and other places above-mentioned. In purſuance whereof a Committee of Common-Councel-men and others, are appointed and have already proceeded in the ſaid Fortifications before this Ordinance could be effected, it is hereby declared, That their ſaid purſuance of that Act, and executing the ſame is a good Service to the Commonwealth, and the ſaid Parties, and all ſuch Engineers, or others, that ſhall be employed by them ſhall be by power of Parliament ſaved harmleſs both for what they have done, and ſhall do herein for time to come.

A Declaration of the Lords and Commons aſſembled in Parliament, That the Sheriffs of *London*, ſhall be ſaved and kept harmleſs by the Authority of both Houſes, for not publiſhing ſome late Meſſages and Proclamations lately ſent them in his Majeſty's Name.

WHereas divers Proclamations, Writs, and Meſſages, ſome under the great Seal, and ſome under the privy Signet, have been directed and delivered unto Alderman *Langham* and Alderman *Andrews*, then and yet Sheriffs of the City of *London* and County of *Middleſex*, commanding them in his Majeſty's Name to execute the ſame, which Proclamations, Writs and Meſſages, being contrary to the priviledge of Parliament, and ſome of them containing matters tending to the Scandal of the proceedings thereof, and to the prejudice of the Commonwealth, were by Order of both or either Houſe of Parliament, forbidden to be executed; And the ſaid Sheriffs, in obedience thereunto, according to their duty, did forbear to execute the ſame, The Lords and Commons do declare, that they well approve of the ready conformity of the ſaid Sheriffs to their commands; And do further declare and Ordain, That the ſaid Sheriffs ſhall by the Authority of both Houſes be ſaved and kept harmleſs from all damages and inconveniencies that ſhall or can happen unto them for obeying the ſaid Orders, or for any act or thing they have done or ſhall do, in purſuance of the ſaid Order or Orders.

Ordered by the Lords and Commons in Parliament aſſembled, That this Declaration ſhall be forthwith printed and publiſhed.

J. Browne Cler. Parliamentorum.

March 19. Fight at *Salt-Heath* near *Stafford*, and the Earl of *Northampton* ſlain.

Sir *John Gell* having recruited his Forces, deſigned to march towards *Stafford*, and intimation was given to Sir *William Brereton* to draw that way, and join with him. The Earl of *Northampton*, Col. *Haſtings*, and other of the King's Forces, that lay in *Stafford*, being advertis'd of *Gell's* approach, march't out to meet and give him Battel; which they did on *Sunday* the 19th of *March* on *Salt-Heath* (by ſome call'd *Hopton-Heath*) near *Stafford*. The Earl charg'd with much bravery, and was received with good Reſolution, both Parties fighting with undaunted Courage, but after two or three hours ſharp Engagement, the Parliamentarians growing

18 *Caroli.*

growing weak and ready to be utterly defeated, it happened that Sir *William Brereton* came into their Relief with a conſiderable Body of Horſe and Dragoons, and falling furiouſly upon the Rear of the King's Forces, whilſt Sir *John Gell*, with his new revived Troops, plied their Front, cut off many of them, amongſt whom the Earl of *Northampton* valiantly fighting, was ſlain, and his Forces retreated into the Town of *Stafford*; *Gell* and *Brereton* kept the Field for ſome hours, and then likewiſe retreated to refreſh their men. We ſhall conclude this year with the Tragedy of two eminent Citizens of *Briſtol*, who though not Executed till ſome time afterwards, were in this Month apprehended. The occaſion and manner whereof was this.

March the 7th 164$\frac{2}{3}$. The Deſign to ſurprize *Briſtol*, and the Condemnation of Mr. *Yeomans* and Mr. *Bowcher*.

Several of the Citizens and Inhabitants of *Briſtol* had deſigned to have delivered that City into the hands of the King's Forces, and appointed *March* the 7th, in the Night, to be the time; but the ſame Evening Col. *Nathaniel Fiennes* (ſecond Son to the Lord *Say*) had notice thereof, and prevented it, ſeizing upon divers of the perſons concerned in that Deſign, of whom the chiefeſt were Mr. *Robert Yeomans*, the laſt year Sheriff of *Briſtol*, and Mr. *George Bowcher*, a Citizen there of good Eſtate; who, with ſeveral others, had for ſome conſiderable time been carrying it on, and for that purpoſe held Correſpondence with the Court at *Oxford*: And a Commiſſion was obtained and ſent From his Majeſty to Mr. *Yeomans* to raiſe Forces, and to conſtitute Commanders for the King's Service; and Mr. *Bowcher* contrived an Oath or Proteſtation to be taken by all that joined themſelves in this Aſſociation, in theſe words:

I Do voluntarily proteſt before Almighty God, upon the Faith of a Chriſtian, That I will to the utmoſt of my power, and with the hazard of my Life and Fortunes, defend my dread Soveraign Lord King Charles, *his Rights, Crown, and Dignity, againſt all Force and Forces which are or ſhall be raiſed within his Majeſty's Dominions, without his Royal Aſſent, Authority and Command.*

After Communication of Counſels, and many Meſſages interchang'd between *Oxford* and *Briſtol*, it was Reſolved, That upon *Munday* the 7th of *March*, in the Night, Prince *Rupert* with a ſtrong Party of the King's Forces ſhould advance to *Durdon-down* (not a full Mile from the City) and thoſe within the City were to ſeize two of the Ports, *viz. Froomgate* and *Newgate*, and having ſecured the Guards there, were to open the ſaid Gates and let in Prince *Rupert* and his Troops, who were to have notice given them to approach by the ringing of S. *Johns* and S. *Michael's* Bells; The Confederates were to be diſtinguiſht by *white Tape* in their Hats, and the word to be *Charles*. According to which Project, divers of them were met armed at Mr. *Yeomans* Houſe, and others at Mr. *Bouchers*, and waiting the appointed hour (which was 3 in the Morning) to fall upon their work. But that Evening late a little Boy declared, That divers Muſquets were carried into Mr. *Yeomans* Houſe; whereupon a more diligent Eye was kept upon them, and at laſt a Guard ordered to ſearch the Houſe, who were firſt denied Entrance, but afterwards let in, where they found a conſiderable number of Men and Arms; there was ſome ſmall offer of Reſiſtance, but the moſt were endeavouring an Eſcape over the top of the Houſe, and divers were taken both there and at Mr. *Bouchers*. Prince *Rupert* with his Forces came that Night to the *Down*, expecting till 5 of the Clock next morning the Signal and Opening of the Gates; but ſeveral Pieces of Ordnance being in the Morning diſcharged that way, perceiving the Deſign fruſtrated, his Highneſs drew off.

An. 1642.

The Parliament being advertiz'd hereof, ſent down a Commiſſion to Col. *Fiennes*, giving him and the other Officers there, power to call a Councel of War, and proceed againſt the Priſoners by Law-Martial. And on the 8th of *May* Mr. *Yeomans* received this Sentence.

The Sentence againſt Mr. *Yeomans.*

Upon due conſideration of the Articles exhibited on May *the 8th. by* Clement Walker *Eſq*; *Advocate to this Councel of War, againſt* Robert Yeomans *and others the late Conſpirators in this City*; *And upon due hearing of the Anſwers and Defence of the ſaid* Robert *to the ſeveral Articles, and alſo upon Examination and Proofs before them taken upon Oath, it is unanimouſly adjudged by this Court, That the ſaid* Robert Yeomans *is Guilty of Traiterous Intelligence and Correſpondency with the Enemy, and of a traiterous and wicked Conſpiracy to betray this Town into the hands of the Enemy. And hereupon this Court doth adjudge and paſs Sentence of Death upon him as a Traitor and Conſpirator, and accordingly doth order, That the ſaid* Robert Yeomans *ſhall be returned to the place of his former Impriſonment*; *and from thence be brought before the main Court of Guard, there to be hanged by the Neck till he dye.*

Nath. Fiennes, Richard Cole, W. White, *&c.*

The 22th of the ſame Month Mr. *Boucher* was brought before the Councel of War, where the following Articles were exhibited againſt him.

Articles againſt Mr. *Boucher.*

1. *THat he had framed a Proteſtation to defend the King, &c.* [being the Proteſtation before recited.]

2. *That he had raiſed Men, and provided Arms and Ammunition of all ſorts, Crows of Iron, Pickaxes, Axes, and Iron-wedges, with Torches and Links to further the deſign of ſuppreſſing the Court of Guard at* Froomgate.

3. *That he conſpired with others to let in Prince* Rupert, *a forreign Prince, who being entred the City, ſhould put to death and plunder all the Inhabitants of that City that came not out to aſſiſt and joyn with them.*

4. *That he did undertake to give Prince* Rupert *a Signal when he ſhould make his Approaches to the City, by Ringing S.* Johns *and S.* Michael's *Bells.*

5. *That he certified Prince* Rupert, *that the deſign of giving him entrance into the Town was diſcovered, and adviſed him to Retreat.*

6. *That he forced open the* Croud door (*being a Burial place under the Quire*) *in S.* John Baptiſts *Church, with an intention to uſe it for a Priſon to ſecure ſuch as ſhould make reſiſtance, whether they were of the Guard, or others, whilſt they were in purſuance of their deſign.*

7. *Laſtly, That he had Locks and other Proviſions to Chain up the Paſſages at S.* Johns-Gate, *in caſe any of the Parliament Horſe ſhould ruſh in upon them whilſt the work was in doing.*

Upon which Articles, on the ſaid 22th of *May*, at the Lady *Rogers* her Houſe, he received the like Sentence as Mr. *Yeomans* had done.

A Letter from *Patrick* Earl of *Forth*, Lord *Etterick*, and Lord-Lieutenant of all his Majeſty's Forces, ſent by a Drum, and directed to the Commander in Chief, and the Councel of War in the City of *Briſtol.*

I *Having been informed that lately at a Councel of War, you have condemned to death* Robert Yeomans *late Sheriff of the City of* Briſtol, *who hath his Majeſty's Commiſſion for raiſing a Regiment for his Service,* William Yeomans *his Brother,* George Boucher *and* Edward Dacres, *all for expreſſing their loyalty to his Majeſty, and endeavouring his Service, according*

18 *Caroli.*

cording to their Allegiance; and that you intend to proceed ſpeedily againſt divers others in the like manner; do therefore ſignifie unto you, That I intend ſpeedily to put Mr. Stephens, *Mr.* George, *Capt.* Huntly, *and others, taken in Rebellion againſt his Majeſty at* Cirenceſter, *into the ſame condition; and do further advertiſe you, That if you offer by that unjuſt Judgment to Execute any of them you have ſo condemned, that thoſe now in Cuſtody here, eſpecially Mr.* George, *Mr.* Stephens, *and Capt.* Huntly, *muſt expect no favour or mercy. Given under my Hand at* Oxford *this 16th of* May 1643.

The Anſwer of *Nath. Finnes* Governour, and the Councel of War in the City of *Briſtol.*

HAving received a Writing from your Lordſhip, wherein it is declared, That upon Information of our late Proceedings againſt Robert Yeomans, William Yeomans, *and others, you intend ſpeedily to put Mr.* George, *Mr.* Stephens, *Capt.* Huntly, *and others, into the ſame condition. We are well aſſured, That neither your Lordſhip, nor any Mortal man, can put them into the ſame condition, for whether they live or dye, they will always be accounted true and honeſt men, faithful to their King and Country, and ſuch as in a fair and open way have always proſecuted that Cauſe, which in their Judgment, guided by the Judgment of the higheſt Court, they held the Juſteſt; whereas the Conſpirators of this City muſt, both in life and death, carry perpetually with them the Brand of Treachery and Conſpiracy. And if* Robert Yeomans *had made uſe of his Commiſſion in an open way, he ſhould be put into no worſe condition than others in the like kind had been. But the Law of Nature amongſt all Men, and the Law of Arms amongſt all Soldiers, maketh a difference between open Enemies, and ſecret Spies and Conſpirators: And if you ſhall not make the like diſtinction, we do ſignifie unto you, That we ſhall not only proceed to the Execution of the perſons already condemned, but alſo of divers others the Conſpirators, unto whom we had ſome thoughts of extending Mercy. And do advertiſe you, That if by any Inhumane and unſoldier-like Sentence you ſhall proceed to the Execution of the perſons by you named, or any other of our Friends in your Cuſtody, that have been taken in a fair and open way of War, then Sir* Walter Pye, *Sir* William Crofts, *Col.* Connesby, *and divers others taken in open Rebellion and actual War againſt the King and Kingdom, whom we have here in Cuſtody, muſt expect no favour or mercy. And by God's bleſſing upon our juſt Cauſe, we have Pawns enough for our Friends Security, without taking in any that have gotten out of our reach and power, although divers of yours, of no mean quality and condition, have been freely releaſed by us. Given under our Hands this 18th of* May, 1643.

Nath. Fiennes, *Preſident*, Clem. Walker, *&c.*

The King's Letter to the Mayor, Aldermen and Sheriffs of *Briſtol*, ſent by a Trumpeter commanding them to riſe, and reſcue *Yeomans*, &c. *May* 26. 1643.

CHARLES R.

TRuſty and well-beloved, we greet you well; Whereas we are informed, that by the power and authority of certain Factious and Rebellious Perſons of that our City of Briſtol, *divers of our good Subjects, as namely* Robert Yeomans, George Boucher, William Yeomans, Edward Dacres, *and others of that our City, are impriſon'd for preſerving their Duty and Loyalty to us, and for refuſing to joyn in, or aſſiſt this horrid and odious Rebellion againſt us; And that the ſaid wicked and traiterous Perſons have preſumed to condemn the ſaid innocent men to dye, and upon ſuch their Sentence notoriouſly againſt the Laws of God and Man, they intend to Execute and Murther our ſaid Subjects; We have thought fit to ſignifie to you the Mayor, Aldermen, Sheriffs, and the reſt of the Body of the Councel of that our City, That if you ſuffer this horrid and execrable Murder to be committed upon the Perſons aforeſaid, and thereby call down the juſt Judgment of*

An. 1642.

God, and bring perpetual Infamy upon that our City, we ſhall look upon it, as the moſt barbarous and inhumane Act that hath been yet committed againſt us, and upon you *as the moſt deſparate Betrayers of Us, and of the Lives and Liberties of your fellow Subjects. And we therefore will and command you, not to ſuffer any violence to be done upon the Perſons aforeſaid, but that if any ſuch be attempted againſt them, you raiſe all the Power and Strength of that our City for their Reſcue. And to that purpoſe we command all our good Subjects of that our City to aid and aſſiſt you upon their Allegiance, and as they hope for any Grace and Favour at our hands; and that you and they kill and ſlay all ſuch who ſhall attempt or endeavour to take away the Lives of our ſaid Subjects; And for ſo doing this ſhall be your Warrant, and hereof you may not to fail at your utmoſt peril. Given at our Court at* Oxford *the 26th day of* May, 1643.

To our Truſty and Well-beloved, the Mayor, Aldermen, Sheriffs, and the reſt of the Common-Councel of our City of *Briſtol.*

But this Letter came too late, or at leaſt could not hinder the Execution, for on *Tueſday* the 30th of *May*, Mr. *Yeomans* and Mr. *Boucher* were brought from the Caſtle to the Main Court of Guard, and there Suffered.

The Queens Landing in *England*, *Febr.* 22. $164\frac{2}{3}$.

The Queens Majeſty on the 13th of *Febr.* (old ſtyle) left the *Hague*, and went to *Scheveling*, where ſhe embarqued for *England*, and after a rough and tempeſtuous Paſſage, ſafely landed at *Burlington-Key* in the Eaſt-Riding of *Yorkſhire*: In expectation of whoſe Arrival the Earl of *Newcaſtle* had drawn his Army that way for her Safeguard. She brought over with her a quantity of Arms and Ammunition. And four of the Parliaments Ships riding at the Mouth of *Newcaſtle* Harbour, having notice of her Arrival, weighed Anchor, and came before *Burlington* into the Bay; and ſhot at the ſmall Veſſels that were landing the Ammunition; ſome of their Bullets reaching into the Town, and near the Houſe where her Majeſty lay for her Repoſe, after ſo hazardous and troubleſome a Voyage, ſo that ſhe was forced to remove thence to a more ſecure Lodging behind an Hill.

Soon after her Majeſty's Landing, the Lord *Fairfax* ſent the following Letter by Col. Sir *William Fairfax*, and releaſed Mr. *Progers* one of her Majeſty's Servants, ſometime before taken Priſoner, and ſent him along with Sir *William*; but her Majeſty would not accept his Lordſhips offer.

The Lord *Ferdinando Fairfax*'s Letter to her Majeſty ſoon after her Landing.

Madam;

YOur Majeſties ſafe and happy Arrival doth infinitely rejoyce the hearts of all Men, that wiſh and hope by your Majeſty to procure a ſpeedy ſettling of theſe great Diſtractions; and that by the powerful Influence of your Majeſties Preſence and Mediation with his Majeſty, this Kingdom (that hath taſted nothing but War and Miſery ſince your departure) ſhall now be reſtored to the happy condition of Peace, which in humane Reaſon is the only means to make your Majeſty and your Poſterity beloved and honoured.

Madam, The Parliament (the Scepter by which all the glorious and happy Princes of this Land have governed, and have thereby made themſelves honoured at home, and terrible to their Enemies abroad) hath commanded me to ſerve the King, and (in him) your Majeſty, in ſecuring the Peace of theſe Northern Parts: My higheſt Ambition and humbleſt Suit is, That your Majeſty

18 *Caroli.*

Majeſty (refuſing the Attendance and Service of thoſe, who by the higheſt Court have been declared Enemies of the Peace and State) would be pleaſed to admit me, and the Forces with me, to guard your Majeſty, wherein I and this Army ſhall all of us more willingly Sacrifice our Lives, than ſuffer any Danger to invade the Truſt repoſed in,

Madam,

Your Majeſties moſt humble Servant,

FAIRFAX.

From *Burlington* her Majeſty, attended by the Earl of *Newcaſtle*'s Army, marched on the 5th of *March* to *Norburton*, on the 6th to *Malton*, and on the 7th arrived at *York*.

Some Tranſactions between the Parliament and States of the United Provinces, to prevent their furniſhing the King with Arms.

During her Majeſties Reſidence in the *Netherlands*, the two Houſes apprehending that ſhe might improve her Intereſt to furniſh the King with Arms and Ammunition, ſent over *Walter Strickland* Eſq; as their Agent, who carried over the following Letter and Declaration in the Month of *Septemb.* 1642.

A Letter of the two Houſes to the States of *Holland.*

High and Mighty Lords,

WHe are commanded by the Lords and Commons aſſembled in the Parliament of England, *to ſignifie to your Lordſhips, that they have choſen and appointed the Bearer hereof* Walter Strickland *Eſq; to repair to your Lordſhips, and to preſent to you in their names, and in the name of the whole Kingdom, a Declaration, and ſome Propoſitions and Deſires, very much importing the maintenance of the Proteſtant Religion, which is the ſureſt Foundation of the Safety and Proſperity of this Kingdom and your States, and the ancient Amity between us, to the Advantage of both, deſiring your Lordſhips to give ear to what ſhall be delivered or propounded to you by the ſame Mr.* Strickland, *and to expedite your Anſwer thereunto, in ſuch manner as ſhall ſtand with your Wiſdoms, and the due Reſpects of the common good of this State and of your ſelves, which is the earneſt deſire of*

Your affectionate Friends and Servants,

Mandevile Speaker *pro tempore* for the Lords Houſe.

William Lenthall Speaker of the Houſe of Commons.

To the High and Mighty Lords, The States of the United Provinces.

A Declaration of the two Houſes to the States of *Holland.*

WE the Lords and Commons in Parliament aſſembled, taking into ſerious conſideration the means of compoſing the great Diſtempers and Combuſtions begun in this Kingdom, which threaten the deſtruction and ruine of it, and of all other Proteſtant Princes and States, have thought good to make this Declaration to the High and Mighty Lords, the States of the United Provinces, That we underſtand by a Letter of the Lord *Digby's*, a perſon fled out of this Kingdom for High Treaſon, that as he often endeavoured by his wicked and malicious Counſels to make diviſion between his Majeſty and the Parliament, and hath been in great part the cauſe of that miſerable and unnatural War which is made againſt us by his Majeſty, ſo he hath laboured by all the means in the United Provinces to provide Arms, Powder and Ammunition for the fomenting of that War, and making it more dangerous to this Kingdom; And for this purpoſe did addreſs himſelf to the Prince of *Orange*, by whoſe countenance and help (as we are informed by the Lord *Digby's* own Letters) he hath made proviſion of great quantities of Ordnance, Powder, Arms, and divers other ſorts of warlike proviſion.

And

*An.*1642. And we are further informed by credible Advertiſement, that the Prince of *Orange* in favour of the Lord *Digby*, and thoſe other wicked Counſellors and Incendiaries, who being joyned together in theſe miſchievous practiſes againſt the Peace of this Kingdom, hath not only licenſed, but the better to encourage divers Commanders, experienced Officers and Soldiers to reſort into this Kingdom in aid of them againſt the Parliament, hath promiſed to reſerve their places for them in their abſence, and doth cauſe other proviſion of the ſame kind to be made and prepared to be ſent over for their ſupply, to the great hurt of this Kingdom, and the danger of interrupting the moſt neceſſary, profitable, and long continued Amity between the two States.

We further deſire to let them know that we cannot believe that this is done by any authority or direction from their Lordſhips, conſidering the great help that they have received from this Kingdom, when heretofore they lay under the heavy oppreſſion of their Princes, and how conducible the Friendſhip of this Nation (concurring with the Wiſdom, Valour, and Induſtry of their own People) hath been to the greatneſs and power which they now enjoy.

Neither can we think that they will be forward to help to make us Slaves who have been uſeful and aſſiſtant in making them Freemen.

Or that they will forget that our Troubles and Dangers iſſue from the ſame Fountain with their own, and that thoſe who are ſet a work to undermine Religion and Liberty in the Kingdom are the ſame, which by open force did ſeek to bereave them of both.

It cannot be unknown to that wiſe State, that it is the Jeſuitical Faction here, that hath corrupted the Counſels of our King, the Conſciences of a great part of our Clergy, which hath plotted ſo many miſchievous Deſigns to deſtroy the Parliament, and ſtill endeavoureth to divide *Ireland* from this Kingdom, by a moſt wicked and cruel Rebellion there, and to divide the King from his Parliament and People here, and by falſe ſlanders and imputations of things never done nor intended by us, hath incenſed his Majeſty, ſo as that after many bitter Invectives publiſhed againſt us without any juſt cauſe given, he hath now at laſt reſolved to ſet up his Royal Standard, and draw his Sword for the deſtruction and ruine of his moſt faithful and obedient People, whom by the Laws and Conſtitutions of this Kingdom he is bound to preſerve and protect.

The Caſes and the Fortunes of both Eſtates being ſo involved and united, we cannot expect to be hindred by them in our juſt defence, or that they will do any thing to aggravate the Miſeries and Troubles of this Kingdom, in the Peace and Happineſs whereof they have found much Advantage, and by ſuch unfriendly and unſeaſonable Supplies of our common Enemies, make a way to their own as well as our ruine.

We therefore deſire they may betimes look into this Miſchief, and having ſearched it to the bottom, to ſtop the farther progreſs of it, That they will not ſuffer more Ordnance, Armour, or any other like warlike Proviſion to be brought over to ſtrengthen thoſe, who as ſoon as they ſhall prevail againſt the Parliament (according to their Principles and Intereſts by which they are guided) will uſe that ſtrength to the ruine of thoſe from whom they have had it.

We deſire they would not ſend over any of our Country-men to further our deſtruction, who were ſent to them for their preſervation, that they will not anticipate the ſpilling of Engliſh blood in an unnatural Civil War, which hath been ſo cheerfully and plentifully hazarded and ſpent in that juſt and honourable War by which they have been ſo long preſerved, and to which the blood of thoſe perſons, and many other Subjects of this King-

Kingdom is ſtill in a manner dedicated, but rather that they will caſhiere and diſcard from their Employment thoſe that will preſume to come over for that purpoſe. *Caroli* 18.

And in ſatisfying theſe our reaſonable and neceſſary deſires, they ſhall thereby not only ſecure us but themſelves, yea, they ſhall moſt of all advantage his Majeſty, for whoſe Service thoſe things are pretended to be done.

The Queſtion between his Majeſty and Parliament is not, Whether he ſhall enjoy the ſame Prerogative and Power which hath belonged to our former Kings, his Majeſty's Royal Predeceſſors; but Whether that Prerogative and Power ſhould be employed to our Defence, or to our Ruine.

We expect nothing from him but Security and Protection from thoſe miſchievous Deſigns which have been ſo often multiplied and renewed againſt us, though hitherto (through God's Providence) as often fruſtrated.

It cannot be denied by thoſe who look indifferently on our Proceedings and Affairs, but that it will be more Honour and Wealth, Safety and Greatneſs to his Majeſty in concurring with his Parliament, then in the courſe in which he now is: But ſo unhappy hath his Majeſty and the Kingdom been in thoſe, who have the greateſt influence upon his Counſels, that they look more upon the prevailing of their own Party, then upon any thoſe great Advantages, both to his Crown and Royal Perſon, which he might obtain by joyning with his People. And ſo cunning are thoſe Factors for Popery, in proſecution of their own Aims, that they can put on a counterfeit Viſage of Honour, Peace, and Greatneſs upon thoſe Courſes and Counſels which have no Truth and Reality, but of Weakneſs, Diſhonour, and Miſeries to his Majeſty and whole Kingdom.

We have lately expreſſed our earneſt Inclinations to that National Love and Amity with the United Provinces, which is nouriſhed and confirmed by ſo many civil Reſpects and mutual Intereſts, as makes it ſo natural to us, that we have this Parliament, in our humble Petition to his Majeſty, deſired we might be joyned with that State in a more near and ſtrait League and Union; and we cannot but expect ſome returns from them of the like Expreſſions; And that they will be ſo far from blowing the Fire which begins to kindle amongſt us, that they will rather endeavour to quench it by ſtrengthning and encouraging us, who have no other deſign but not to be deſtroyed, and preſerve our Religion, ſave our ſelves and the other Reformed Churches of Chriſtendom from the Maſſacres and Extirpations with which the Principles of the Popiſh Religion do threaten us and them, which are begun to be acted in *Ireland*, and in the Hopes, Endeavours, and Intentions of that Party had long ſince been executed upon us, if the Mercy, Favour, and Bleſſing of Almighty God had not ſuperabounded, and prevented the ſubtilty and malignity of cruel, wicked, and blood-thirſty men.

Mr. *Strickland* going over with this Declaration, deſired Audience *Sept.* 8. but the States being taken up with an Ambaſſadour at the ſame time from the King, delaid him for ſome time, and at laſt he was heard by deputed Commiſſioners, and the Declaration received, but laid aſide, and unanſwered, and *Strickland* received no Countenance amongſt them; only the States of the Province of *Holland* did Arreſt ſome Ships laden with Ammunition, that were intended to be ſent for *England*, and ſtopt divers Soldiers which otherwiſe would have been brought over by one Capt. *Lloyd*; for which the two Houſes, by a Declaration, returned the ſaid States of *Holland* Thanks, adding, *That they hoped they will continue the*

An. 1642.

the ſame Care concerning certain Men of War bought and prepared (as they are informed) in the Name of his Majeſty, to be imployed againſt this Kingdom. And albeit ſome Ships are ordained for bringing over the Queen, that they will pleaſe to take ſuch care, that under that pretence no Soldiers or Ammunition be brought over.

This Declaration was preſented *Octob.* 11. 1642. to the ſaid States of the Province of *Holland*, who declared, *That in their Aſſembly they had already taken ſuch a Reſolution, whereby that ſame Writing ſhall be ſatisfied*; and thanked Mr. *Strickland* for the Service he had thereby done the Parliament. And further, the ſaid Lords of *Holland* did preſs the States of the Province of *Zealand*, and in the beginning of *November* prevailed with them to joyn in a compleat Neutrality with his Majeſty of *Great Britain* and his Parliament; which occaſioned the States General at length to take more notice of the Parliaments firſt mentioned Declaration, and thereunto returned this Anſwer.

The States Generals Anſwer to the Parliaments Declaration, *Nov.* 1. 1642.

THE States General of the United Netherlands *having received and examined the Writing delivered up to their Commiſſaries at the Conference on the 8th of* Sept. *laſt, by Mr.* Walter Strickland *Meſſenger from the Parliament of* England, *do declare, That with unexpreſſible ſorrow, they do underſtand the Kingdom of* England *to be in a Combuſtion, which the Lords the States do believe to have riſen from the Weeds of Diſſention ſowed amongſt the People by the Arts, Practiſes, and Deviſes of the cloſe Enemies of* England, *yet they entertain Hopes that God will ſo direct the hearts of his Majeſty, and thoſe of the Parliament eſpecially, as that they will rather meditate upon a perfect Union and mutual Correſpondence together, than to reſolve to kill and ruine one another by Domeſtick Fewds. For the Mediation of which the Lords the States will gladly be imployed, as ſoon as ever they ſhall be able to perceive their Interpoſition to be profitable and acceptable, as well to the one ſide as to the other; and that by way of Recompence for the like Offices which the Kings of* England *have formerly ſhewed to this State in times of their Trouble. And for the preventing of all kind of diffidence of this State from either of the ſides, the Lords the States have judged it to be uſeful expreſly to forbid every body to tranſport any Weapons or Warlike Ammunition, from theſe Countries into* England, *even as they will not permit any Officer or Soldiers (who are under the pay of this State) to accept of any Service there, leſt we be found to adminiſter the means whereby his Majeſty and the Parliament might mutually damnifie each other; wiſhing rather to be able to adminiſter ſomething for the Reciprocal Union of them, as we have formerly expreſſed; which when once it ſhall be effected, or that his Majeſty and the Parliament ſhall be united amongſt themſelves, then the Lords the States will be glad to hear of a more clear way for the Re-union of a League and Alliance between* Great Britain *and this State. Thus it is Enacted in the Aſſembly of the major part of the ſaid High Lords the States in the* Hague, *the firſt day of* Novemb. 1642.

W. Rippera V. T.

By the appointment of the High and Mighty Lords the States General, *Corn. Muſh.*

But notwithſtanding theſe general Promiſes, *Strickland* ſtill made reiterated Complaints of Men, Arms, and Ammunition that were tranſported; and the Parliament ſent over another Declaration, as follows.

We

18 *Caroli.*

The Parliaments ſecond Declaration to the States General, preſented *Dec.* 12. 1642.

WE the Lords and States aſſembled in the Parliament of England, *having received with great conſent and ſatisfaction the Anſwer of the High and Mighty Lords the States General of the* United Provinces *upon the Declaration preſented to them in our Name by* Walter Strickland *Eſq; finding therein many comfortable Demonſtrations of their Affection to the Peace and Welfare of this Kingdom, and a very tender feeling of our Troubles, and of their Care and Reſolution to hinder the Tranſporting of Forces, Ammunition or Arms, which might feed and encreaſe the unhappy Diviſions and Diſtractions whereby this Nation is moſt miſerably torn and divided; which we have accepted very thankfully, and with great Joy, as a means of our preſent preſervation, and an help to an eſtabliſhing of a happy Peace betwixt his Majeſty and his moſt faithful Subjects, and to the confirmation of a nearer and more advantagious Union between this Kingdom and that State, to the preſervation of the Reformed Religion, and deliverance of many oppreſſed Princes and States againſt the Common (both their and our) Enemies. But this Hope and this Content is much diminiſhed by our continual finding to the contrary, Forces, Ammunition, and Arms ſent over from the ſame Quarters, which are imployed againſt us; and through the certain Advertiſements of the continual Preparations and Endeavours of ſome Traitors, which being fled out of this Kingdom, keep now their Reſidence in the* United Provinces, *to take care and provide, that a great quantity of Money, and all other warlike Ammunition and Proviſions might be ſent over from thoſe Quarters againſt the Parliament, and the Subjects of this Kingdom. And in particular, That Col.* Goring, *Capt.* Byron, *Sir* Francis Mackworth, *Capt.* Bret, *and Capt.* Windham, *with ſome hundreds of Soldiers, being in pay of that State, have been already and lately Embarqued, or lye ready to go from ſome of their Harbours for* Newcaſtle, *to joyn with the Army of Papiſts, and other malignant Perſons in the North Quarters of this Kingdom againſt the Parliament, and to the Subverſion of the Proteſtant Religion here, which hath much encouraged that Party, and hardned his Majeſty to adhere yet to thoſe ill Counſels which have been the Authors of theſe publick Troubles and Miſeries of this Kingdom, and to reject our divers humble Requeſts, That his Majeſty would be pleaſed to return, according to the Laws of the Kingdom, to his Parliament, and that by their Counſel and Advice our Religion and the Laws againſt wicked Plots and Deſigns, which have been a long time on foot, for the Subverſion of both, and ſtill intended, might be ſecured; which to bring to paſs we have offered, and are yet ſtill ready, to ſecure his Majeſty's Perſon, Reputation, or State, as much as can be expected of true Chriſtians and faithful Subjects, which we ſolemnly profeſs before Almighty God to be our real Intention, and long to demonſtrate the ſame in deed and effect; and that all the ſame that is pretended and publiſhed to the contrary, as if we ſhould have intended ſome deſigns, or put in execution the leaſt thing that might have tended to the hurt of his Majeſty's Perſon, or prejudice of his Soveraignty, proceeds from the falſe and wicked Calumnies of thoſe that are Enemies to the publick Peace. Wherefore we deſire that wiſe and careful State, that they will effectually perform thoſe Promiſes, and prohibit and hinder the tranſporting of Forces, Arms, Moneys, and other warlike Proviſions againſt us; that they will be pleaſed to ſearch and inquire into the faults and negligence of the Officers who have permitted ſo manifold Breaches and Tranſgreſſions, that they will be pleaſed to receive with all fit favour all ſuch Complaints and Informations, which, concerning that Affair, ſhall be made by Mr.* Strickland, *and look upon it not only as a matter of ſome loving Reſpect to the Kingdom, but alſo ſuch a matter as concerns moſt highly the Glory of God, the Defence*

An. 1642.

of the Proteſtant Religion, their own Preſervation and Liberty. The which (if we are deſtroyed) ſhall not only be deprived of a favourable and profitable Alliance, but alſo be ſurrounded with ſuch Enemies, as by the ſame Rules and Grounds by which they have ſought our Ruine and Deſtruction, will likewiſe ſtrive by all manner to deſtroy them alſo.

John Browne, Cleric. Parliament.

This Declaration being diſpatcht by an Expreſs Pinnace for that purpoſe, was preſented by Mr. *Strickland* on the 12th of *Decemb.* to the States, but little notice was taken of it; whereupon he repeated his Complaints, and particular notice was taken, That the States had granted to her Majeſty ſuch a large and general Paſsport, as under colour thereof never ſo great quantities of Arms and Ammunition might be conveyed away, the ſame running in theſe words.

The States Paſsport to the Queen, *January* 22. 164$\frac{2}{3}$.

THE States General of the United Netherlands, *To all Governours, Admirals, Commanders, Colonels, Lieutenants, and Vice-Admirals, Serjeant-Majors, Captains, Officers, and Common Soldiers, whether Horſe or Foot, by Water or by Land: As alſo to all Convoy-Maſters, Comptrollers, Searchers, and to all others being in our Service, and under our Obedience, do ſend Greeting; We do certifie, That we have conſented and agreed, as by virtue of theſe Preſents we do conſent and agree, That her Majeſty of* Great Britain *ſhall be ſuffered to paſs over Sea out of theſe* United Provinces *into* England, *with ſuch Ship or Ships as it ſhall ſeem moſt convenient unto her; And that out of and along ſuch Channels of theſe Countries, either the* Texel, *the* Maes, Goree-Gate *or* Weiling *reſpectively, even as her Majeſty or her Commiſſioners ſhall judge fitting, whether whilſt her Majeſty is on her departure out of theſe Lands, or afterwards; And this ſhe may do with all her Baggage and Goods of what kind ſoever they may be, whether in whole or in part, conſiſting in Sacks, Packs, Cheſts, Coffers, Caſes, or Tuns: With expreſs Charge and Command to the Officers of our Convoys and Licenſes, whoſoever they may be, and alſo to all thoſe whom theſe may any way concern, That they* ſhall not viſit, ſearch, much leſs open, *under what pretence or covert ſoever it may be, any of the ſaid Cheſts, Coffers, Caſes, or Tuns, ſeeing we have freed and exempted all of them, and that which ſhall be therein contained, even as we do hereby free and exempt them from all payment of the Cuſtoms of the Country, and further Charges, which upon occaſion of the aforeſaid ſearch might be pretended to, or demanded, inſomuch that all the ſaid things ſhall paſs free without any Impediment, even ſo as hath been expreſſed, for this is our earneſt purpoſe. Thus done in the* Hague *on the 22th of* January, 1643.

Johan Van Reedt V T.

At the Appointment of the High and Mighty Lords the States General.

Corn. Muſh 1643.

Yet about the time of her Majeſties Departure (whether by the importunity of *Strickland*, or by means of the States of *Holland*, that ſeemed to favour the Parliament, I know not) one of her Ships with Ammunition being ſtopt, ſhe ſeemed very highly to Reſent the ſame, and cauſed the following Proteſt to be delivered in to the States.

The

18 *Caroli.*

The Proteſtation of her Royal Majeſty of *Great Britain*, given in at her Departure from *Scheveling*, *Febr.* 15. $164\frac{2}{3}$. againſt the High and Mighty Lords the States General of the *United Provinces* of the *Low Countries*.

The Queens Proteſt againſt the States for ſtopping one of her Ships, *February* 15. $164\frac{2}{3}$.

THE Queen of Great Britain (*through the Intention that ſhe hath had to preſerve the Amity between the King and the Lords States*) *having omitted to take notice of many Indignities by which ſhe hath here been provoked, ſhe doth find her ſelf at preſent ſo highly offended, that ſhe cannot any longer* (*with the Honour of the King*) *abſtain from making this Complaint, which ſhe doth make to the Lords the States, upon the Order which hath been given to ſearch and arreſt a Veſſel which ſhe hath freighted and laden with divers Goods belonging to her, for which the Lords States have granted her a Paſſport: The Queen doth make no difficulty to Avouch the Tranſporting of Ammunition, as far as it is abſolutely neceſſary for her Safeguard; She hath choſen to furniſh her ſelf this way, rather then by that of asking a Licenſe, becauſe of an Order made by the States to hinder the Tranſporting of Arms and Ammunition for the King, or for the Parliament; which Order the King hath had great reaſon to think very partial for the Parliament, paralelling them with him; but the not obſerving of this Order hath been more offenſive to him, eſpecially ſince the aboveſaid Parliament have cauſed much Ammunition to be Tranſported over, and have bought Veſſels, to imploy them againſt the King. If the Queen hath not demanded a Licenſe for the Things that ſhe had need of, it was not to put the States to ſo much Trouble, nor to deviate from their Order, nor juſtly to offend the King, but rather ſince all the endeavours of the Queen, and the precautions to preſerve the good Correſpondence between the King and the Lords States* (*which is eſtabliſhed by ſo many Treaties*) *have produced nothing but a continuation of Affronts and Prejudice to the King's Service, ſhe is bound to make this Declaration:*

That ſhe doth receive this Order for the Arreſting of her Ship as a notable Injuſtice and Indignity, which ſhe is obliged to be ſenſible of in a high degree;

Wherefore ſhe doth believe that the Lords States having better conſidered on it, will connive for the departure of her Veſſel, with all that it doth carry for her Service, without which the Queen is bound to demonſtrate to the Lords States, that this Injuſtice and Affront, which ſhe ſhall receive by the Arreſt of this Veſſel, cannot paſs for leſs then a violating of the League betwixt the King and the States; the Conſequences whereof will be very dangerous, wherefore ſhe hopes that they will not give ſuch a Cauſe to the King and her of ſuch a Diſpleaſure. Done at *Scheveling* the 25th of *February* 1643.

An. 1643.

THE Year 1643. (which was the 19th Year of the Reign of King *Charles* the Firſt) was a time of a various and important Action; The remarkable Paſſages I ſhall for method ſake deliver in ſeveral Chapters, under theſe Heads;

1. *The Treaty at* Oxford.
2. *The Progreſs of the War afterwards in Battels, Sieges, &c.*
3. *Proclamations, Declarations, Ordinances, and other Civil Occurrences.*
4. *The coming of the* Scots.
5. *Paſſages in* Ireland *to the time of Ceſſation.*
6. *And laſtly, The Proceedings of the Lords and Commons at* Oxford.

CHAP. X.

Of the Proceedings in Order unto the Treaty at Oxford; *the particular managing thereof; its breaking without Succeſs, and ſubſequent Declarations thereupon.*

THere had been (as is before ſet forth) overture for a Treaty in *Nov.* 42. but by reaſon of the unexpected Action at *Brainford*, no further progreſs was made therein, till towards the latter end of *January* following: And then the Parliament reſolved to ſend ſome Propoſitions to the King, and named their Commiſſioners, two Lords and four Commiſſioners, for whom they deſired of his Majeſty a Safe-Conduct that they might attend him with the ſaid Propoſitions; But the Lords nominated, being the Earl of *Northumberland* and the Lord *Say*, the King refuſed to grant a Safe-Conduct for the latter, as being excepted againſt by Name in his Proclamation at *Oxford* of the 3*d* of *November*, and by Writ to the Sheriff proclaimed then in the County, in which his Majeſty's Intention was declared to proceed againſt him as a Perſon guilty of High Treaſon, and ſo falling to be within the Caſe of Sir *John Evelyn*, who upon the ſame Exception was not admitted to attend his Majeſty with the reſt of the Committee at *Colebrook* in *Novemb.* laſt. Hereupon there were nominated four Lords and eight Commiſſioners, to whom his Majeſty gave his Safe-Conduct.

His Majeſty's Safe-Conduct to Commiſſioners that were to attend him with Propoſitions, *January* 8. 164$\frac{2}{3}$.

CHARLES R.

OUR Will and Pleaſure is, and we do hereby ſtreightly Charge and Command all the Officers and Soldiers of our preſent Army, and all our Miniſters and Subjects whatſoever, to permit and ſuffer our Right Truſty and Right well-beloved Coſins and Counſellors Algernon *Earl of* Northumberland, Philip *Earl of* Pembroke *and* Montgomery, William *Earl of* Salisbury, *and* Henry *Earl of* Holland; *our Right Truſty and Right well-beloved* Thomas *Viſcount* Weenman, *and* Richard *Viſcount* Dungarnon; *and our Truſty and well-beloved Sir* John Holland *and Sir* William Litton *Knights*, William Pierrepoint, Bulſtrode Whitlock, Edmund Walker, *and* Richard Winwood, *Eſquires, together with their Servants, to paſs and re-*

paſs

19 *Caroli.*

paſs to and from us, they being ſent to tender us Propoſitions from our two Houſes of Parliament. This our Safe-Conduct under our Sign Manuel and Privy Signet, We charge and command them, and every of them, punctually to obſerve and obey, as they will Anſwer the contrary at their utmoſt perils. Given at our Court at Oxford *28th day of* January, 1642.

Accordingly the Commiſſioners ſet forwards, the Commiſſioners being admitted by the Peers (two with each Lord) in their Coaches, and their Servants to a great number attended them on Horſback. In which Equipage being come to *Oxford*, the Governour aſſigned them their Quarters. Their firſt admittance to the King was in *Chriſt-Church-Garden*, where he was walking with the Prince, and divers Lords attending. All the Commiſſioners kiſſed his Majeſty's Hand, but not in that order as they were rankt in the Safe-Conduct, but according to their Degrees by Birth, Mr. *Pirrepoint* before the Knights, he being an Earl's (*viz.* the Earl of *Kingſton*'s) Son, and Mr. *Winwood* before Mr. *Whitlock*, he being the eldeſt Knight's Son, and Mr. *Walker* was laſt; to whom the King ſaid, *Though you are the laſt, yet you are not the worſt, nor the leaſt in my favour.* Which afterwards was interpreted to have reſpect to the Deſign then in hand in *London*, and ſometime after diſcovered, wherein Mr. *Walker*, and *Thompſon*, and *Challoner*, &c. were concerned. The Earl of *Northumberland* read the Propoſitions to the King, and being once Interrupted by his Majeſty, he ſaid, *Your Majeſty will give me leave to proceed?* The King anſwered, *I, I:* and ſo the Earl read them all through; being as followeth:

The humble Deſires and Propoſitions of the Lords and Commons in Parliament aſſembled, tendered to his Majeſty, Feb. 1. 1642.

The Parliaments Propoſitions, *Febr.* 1. 164[illegible].

WE your Majeſty's moſt humble and faithful Subjects, the Lords and Commons in Parliament aſſembled, having in our thoughts the glory of God, your Majeſty's Honour, and the Proſperity of your People, and being moſt grievouſly afflicted with the preſſing Miſeries and Calamities which have overwhelmed your two Kingdoms of *England* and *Ireland* ſince your Majeſty hath by the perſwaſion of evil Counſellors, withdrawn your ſelf from the Parliament, raiſed an Army againſt it, and by force thereof protected Delinquents from the Juſtice of it, conſtraining us to take Arms for the defence of our Religion, Laws, Liberties, Priviledges of Parliament, and for the ſitting of the Parliament in ſafety, which Fears and Dangers are continued and increaſed, by the raiſing, drawing together, and arming of great numbers of Papiſts, under the command of the Earl of *Newcaſtle*, likewiſe by making Lord *Herbert* of *Ragland*, and other known Papiſts, Commanders of great Forces, whereby many grievous Oppreſſions, Rapines, and Cruelties have been, and are daily exerciſed upon the Perſons and Eſtates of your People, much innocent blood hath been ſpilt, and the Papiſts have attained means of attempting, and hopes of effecting their miſchievous deſign of rooting out the Reformed Religion, and deſtroying the Profeſſors thereof. In the tender ſenſe and compaſſion of theſe Evils, under which your People and Kingdom lie (according to the Duty which we owe to God, your Majeſty, and the Kingdom, for which we are intruſted) do moſt earneſtly deſire, that an end may be put to theſe great diſtempers and diſtractions, for the preventing of that deſolation, which doth threaten all your Majeſty's Dominions. And as we have rendred, and ſtill are ready to render unto your Majeſty that Subjection, Obedience, and Service which we owe unto you, ſo we moſt

An. 1643.

moſt humbly beſeech your Majeſty to remove the Cauſe of this War, and to vouchſafe us that Peace and Protection which we and our Anceſtors have formerly enjoyed under your Majeſty, and your Royal Predeceſſors, and graciouſly to accept and grant theſe moſt humble Desires and Propoſitions.

I. *THat your Majeſty will be pleaſed to diſband your Army, we likewiſe ſhall be ready to diſband all thoſe Forces which we have raiſed; And that you will be pleaſed to return to your Parliament.*

II. *That you will leave Delinquents to a Legal Trial and Judgment of Parliament.*

III. *That the Papiſts not only be diſbanded, but diſarmed according to Law.*

Theſe 5 Bills were ſent with the Commiſſioners, but are too long to recite.

IV. *That your Majeſty will be pleaſed to give your Royal aſſent unto the Bill* for taking away Superſtitious Innovations: *To the Bill for the* utter aboliſhing, and taking away of all Archbiſhops, Biſhops, their Chancellors and Commiſſaries, Deans, Sub-deans, Deans and Chapters, Arch-deacons, Canons and Prebendaries, and all Chanters, Chancellors, Treaſurers, Sub-treaſurers, Succentors and Sacriſts, and all Vicars Choral and Choriſters, old Vicars and new Vicars of any Cathedral or Collegiate Church, and all other their under Officers out of the Church of *England: To the Bill* againſt Scandalous Miniſters: *To the* Bill againſt Pluralities: *And to the Bill for Conſultation to be had with* godly, religious, and Learned Divines. *That your Majeſty will be pleaſed to promiſe to paſs ſuch other good Bills for ſettling of Church Government, as upon Conſultation with the Aſſembly of the ſaid Divines ſhall be reſolved on by both Houſes of Parliament, and by them be preſented to your Majeſty.*

V. *That your Majeſty having expreſt in your Anſwer to the Nineteen Propoſitions of both Houſes of Parliament, a hearty Affection and Intention for the rooting out of Popery out of this Kingdom; and that if both the Houſes of Parliament can yet find a more effectual Courſe to diſable Jeſuites, Prieſts, and popiſh Recuſants from diſturbing the State, or deluding the Laws; that you would willingly give your conſent unto it; That you would be graciouſly pleaſed for the better diſcovery and ſpeedier conviction of Recuſants, That an Oath may be eſtabliſhed by Act of Parliament to be Adminiſtred in ſuch manner, as by both Houſes ſhall be agreed on; wherein they ſhall abjure and renounce the Pope's Supremacy; The Doctrine of Tranſubſtantiation, Purgatory, Worſhipping of the Conſecrated Hoſt, Crucifixes and Images, and the refuſing the ſaid Oath, being tendered in ſuch manner as ſhall be appointed by Act of Parliament, ſhall be a ſufficient Conviction in Law of Recuſancy. And that your Majeſty will be graciouſly pleaſed to give your Royal aſſent unto a Bill for the Education of the Children of Papiſts, by Proteſtants in the Proteſtant Religion: That for the more effectual execution of the Laws againſt the Popiſh Recuſants, your Majeſty would be pleaſed to conſent to a Bill for the true levying of the Penalties againſt them, and that the ſame Penalty may be levied and diſpoſed of in ſuch manner as both Houſes of Parliament ſhall agree on, ſo as your Majeſty be at no loſs: And likewiſe to a Bill whereby the practiſe of Papiſts againſt the State may be prevented, and the Laws againſt them duly executed.*

VI. *That the Earl of* Briſtol *may be removed from your Majeſty's Councels, and that both he, and the Lord* Herbert, *eldeſt Son to the Earl of* Worceſter, *may likewiſe be reſtrained from coming within the Verge of the Court, and that they may not bear any Office, or have any Imployments concerning the State or Commonwealth.*

VII. *That your Majeſty will be graciouſly pleaſed by Act of Parliament to*

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19 Caroli

ſettle the Militia *both by Sea and Land, and for the Forts and Ports of the Kingdom, in ſuch a manner as ſhall be agreed on by both Houſes.*

VIII. *That your Majeſty will be pleaſed by your Letters Patents to make Sir* John Brampſton *Chief Juſtice of your Court of* Kings Bench, *William Lenthall* Eſq; *the now Speaker of the Commons Houſe, Maſter of the Rolls, and to continue the Lord Chief Juſtice* Bankes, *Chief Juſtice of the Court of* Common Pleas, *and likewiſe to make Mr. Serjeant* Wilde *Chief Baron of your Court of* Exchequer. *And that Mr. Juſtice* Bacon *may be continued; and Mr. Serjeant* Rolls *and Mr. Serjeant* Atkins, *made Juſtices of the* Kings Bench. *That Mr.* Juſtice Reeves, *and Mr. Juſtice* Foſter, *may be continued; and Mr. Serjeant* Pheaſant *made one of your Juſtices of your Court of* Common Pleas; *That Mr. Serjeant* Creſwell, *Mr.* Samuel Browne, *and Mr.* John Pulleſton, *may be Barons of the* Exchequer; *And that all theſe, and all the Judges of the ſame Courts, for the time to come, may hold their Places by Letters Patents under the Great Seal,* Quam diu ſe bene geſſerint, *and that the ſeveral Perſons not before-named, that do hold any of theſe places before-mentioned, may be removed.*

IX. *That all ſuch Perſons as have been put out of the Commiſſions of Peace, or* Oyer *and* Terminer, *or from being* Cuſtodes Rotulorum, *ſince the firſt day of* April 1642. (*other then ſuch as were put out by deſire of both, or either of the Houſes of Parliament*) *may again be put into thoſe Commiſſions and Offices; And that ſuch Perſons may be put out of thoſe Commiſſions and Offices, as ſhall be excepted againſt by both Houſes of Parliament.*

X. *That your Majeſty will be pleaſed to paſs the Bill now preſented to your Majeſty to vindicate and ſecure the Priviledges of Parliament, from the ill conſequence of the late Preſident in the Charge and Proceeding againſt the Lord* Kimbolton, *now Earl of* Mancheſter, *and the five Members of the Houſe of Commons.*

XI. *That your Majeſty's Royal Aſſent may be given unto ſuch Acts as ſhall be adviſed by both Houſes of Parliament, for the ſatisfying and paying the Debts and Damages wherein the two Houſes of Parliament have engaged the publick Faith of the Kingdom.*

XII. *That your Majeſty will be pleaſed, according to a gracious Anſwer heretofore received from you, to enter into a more ſtrict Alliance with the States of the* United Provinces, *and other Neighbour Princes and States of the Proteſtant Religion, for the defence and maintenance thereof againſt all Deſigns and Attempts of the Popiſh and Jeſuitical Faction, to ſubvert and ſuppreſs it, whereby your Subjects may hope to be free from the Miſchiefs which this Kingdom hath endured through the power which ſome of that Party have had in your Counſels, and will be much encouraged in a Parliamentary way for your Aid and Aſſiſtance in reſtoring your Royal Siſter, and the Prince Elector to thoſe Dignities and Dominions which belong unto them, and relieving the other diſtreſſed Proteſtant Princes who have ſuffered in the ſame Cauſe.*

XIII. *That in the General Pardon which your Majeſty hath been pleaſed to offer to your Subjects, all Offences and Miſdemeanors committed before the 10th of* January, 1641. *which have been, or ſhall be queſtioned, or proceeded againſt in Parliament, upon complaint in the Houſe of Commons before the 10th of* January 1643. *ſhall be excepted; which Offences and Miſdemeanours ſhall nevertheleſs be taken and adjudged to be fully diſcharged againſt all other inferiour Courts. That likewiſe there ſhall be an Exception of Offences committed by any perſon or perſons, which hath, or have had any hand or practiſe in the Rebellion of* Ireland, *which hath, or have given any counſel, aſſiſtance, or encouragement to the Rebels there for the maintainance of that Rebellion As likewiſe an Exception of* William *Earl of* Newcaſtle, *and* George *Lord* Digby.

XIV.

An. 1643.

XIV. *That your Majeſty will be pleaſed to reſtore ſuch Members of either House of Parliament to their ſeveral places of Services and Employment out of which they have been put ſince the beginning of this Parliament; That they may receive ſatisfaction and reparation for the ſame places and for the profits which they have loſt by ſuch removals upon the Petition of both Houſes of Parliament; And that all others may be reſtored to their Offices and Imployments, who have been put out of the ſame upon any diſpleaſure conceived againſt them for any Aſſiſtance given to both Houſes of Parliament, or obeying their Commands, or forbearing to leave their Attendance upon the Parliament without licence, or for any other occaſion ariſing from theſe unhappy Differences betwixt your Majeſty and both Houſes of Parliament, upon the like Petition of both Houſes.*

Theſe things being granted and performed, as it hath always been our hearty Prayer, ſo ſhall we be enabled to make it our hopeful Endeavour, That your Majeſty and your People may enjoy the Bleſſings of Peace, Truth and Juſtice; The Royalty and Greatneſs of your Throne may be ſupported by the Loyal and Bountiful Affections of your People; Their Liberties and Priviledges maintained by your Majeſty's Protection and Juſtice; And this Publick Honour and Happineſs of your Majeſty, and all your Dominions communicated to other Churches and States of your Alliance, and derived to your Royal Poſterity, and the future Generations in this Kingdom for ever.

Hen. Elſyng. Cler. Parl. D. Com.

His Majeſty's Anſwer to the Deſires and Propoſitions of both Houſes, Febr. 3. 1642. *Received at a Conference with the Lords*, Febr. 6. 1642.

The King's Anſwer and Propoſitions.

IF his Majeſty had not given up all the Faculties of his Soul to an earneſt endeavour of a Peace and Reconciliation with his People, or if he would ſuffer himſelf by any Provocation to be drawn to a ſharpneſs of Language at a time when there ſeems ſomewhat like an Overture of Accommodation, he could not but reſent the heavy Charges upon him in the Preamble of theſe Propoſitions, and would not ſuffer himſelf to be reproached with protecting of Delinquents by force from Juſtice, (his Majeſty's deſire having always been, that all Men ſhould be tried by the known Law) and, having been refuſed it, with raiſing an Army againſt his Parliament, and to be told that Arms have been taken up againſt him for the Defence of Religion, Laws, Liberties, Priviledges of Parliament, and for the ſitting of the Parliament in ſafety, with many other Particulars in the Preamble, ſo often and ſo fully anſwered by his Majeſty, without remembring the World of the Time and Circumſtances of raiſing thoſe Arms againſt him; when his Majeſty was ſo far from being in a Condition to invade other Mens Rights, that he was not able to maintain and defend his own from violence; and without telling his good Subjects, that their Religion (the true Proteſtant Religion, in which his Majeſty was born, hath faithfully lived, and to which he will die a willing Sacrifice) their Laws, Liberties, Priviledges, and Safety of Parliament were ſo amply ſettled and eſtabliſhed, or offered to be ſo by his Majeſty before any Army was raiſed againſt him, and long before any raiſed by him for his defence, that if nothing had been deſired, but the Peace and Protection which his Subjects and their Anceſtors had in the beſt Times enjoyed under his Majeſty or his Royal Predeceſſors; this miſunderſtanding and diſtance

ſtance between his Majeſty and his People, and this general Miſery and Diſtraction upon the face of the whole Kingdom, had not been now the Diſcourſe of Chriſtendom: But his Majeſty will forbear any Expreſſions of Bitterneſs, or of a ſenſe of his own Sufferings, that if it be poſſible the memory thereof may be loſt to the World. And therefore though many of the Propoſitions preſented to his Majeſty by both Houſes, appear to him very derogatory from, and deſtructive to his juſt Power and Prerogative, and no way beneficial to his Subjects, few of them being already due to them by the Laws eſtabliſhed, (and how Unparliamentary it is by Arms to require new Laws, all the World may judge) yet (becauſe theſe may be waved or mollified, and many things that are now dark or doubtful in them, cleared and explained upon Debate) his Majeſty is pleaſed (ſuch is his ſenſe of the Miſeries this Kingdom ſuffers by this unnatural War, and his earneſt deſire to remove them by a happy Peace) that a ſpeedy time and place may be agreed upon for meeting of ſuch Perſons as his Majeſty and both Houſes ſhall appoint to diſcuſs theſe Propoſitions, and ſuch others here following, as his Majeſty doth propoſe to them.

I. *THat his Majeſty's own Revenue, Magazines, Towns, Forts and Ships which have been taken or kept from him by force, be forthwith reſtored unto him.*

II. *That whatſoever hath been done or publiſhed contrary to the known Laws of the Land, or derogatory to his Majeſty's legal and known power, and rights, be renounced and recalled, that no ſeed may remain for the like to ſpring out of for the future.*

III. *That whatſoever illegal power hath been claimed and exerciſed by, or over his Subjects, as impriſoning their perſons without Law, ſtopping their* Habeas Corpus's, *and impoſing upon their Eſtates without Act of Parliament,* &c. *either by both or either Houſe, or any Committee of both, or either by any perſons appointed by any of them, be diſclaimed, and all ſuch perſons ſo committed, forthwith diſcharged.*

IV. *That as his Majeſty will readily conſent (having done ſo heretofore) to the execution of all Laws already made, and to any good Acts to be made for the ſuppreſſing of Popery, and for the firm ſettling of the Proteſtant Religion now eſtabliſhed by Law: So he deſires that a good Bill may be framed for the better preſerving of the* Book of Common Prayer *from the ſcorn and violence of* Browniſts, Anabaptiſts, *and other Sectaries with ſuch Clauſes, for the eaſe of tender Conſciences, as his Majeſty hath formerly offered.*

V. *That all ſuch perſons as upon the Treaty ſhall be excepted out of the General Pardon, ſhall be tried* per Pares, *according to the uſual courſe, and known Law of the Land, and that it be left to that, either to acquit or condemn them.*

VI. *And to the intent this Treaty may not ſuffer Interruption by any intervening Accidents, that a Ceſſation of Arms and free Trade for all his Majeſty's Subjects, may be firſt agreed upon.*

This offer and deſire of his Majeſty he hopes will be ſo cheerfully entertained, that a ſpeedy and bleſſed Peace may be accompliſhed. If it ſhall be rejected, or by inſiſting upon unreaſonable Circumſtances, be made impoſſible (which he hopes God in his mercy to this Nation will not ſuffer) the guilt of the Blood which will be ſhed, and the deſolation which muſt follow, will lye upon the Heads of the Refuſes. However his Majeſty is reſolved, through what Accidents ſoever he ſhall be compelled to recover his Rights, and with what proſperous ſucceſſes ſoever it ſhall pleaſe

An. 1643.

God to bless him, that by his earnest, constant Endeavours to propagate and promote the true Protestant Religion, and by his Governing according to the known Laws of the Land, and upholding the just Priviledges of Parliament, according to his frequent Protestations made before Almighty God, which he will always inviolably observe; The World shall see that he hath undergone all these Difficulties and Hazards for the defence and maintenance of those, the zealous preservation of which his Majesty well knows, is the only foundation and means for the true happiness of him and his People.

H. Elsynge Cler. Parl. Dom. Com.

The Articles of Cessation sent to his Majesty, Febr. ultimo.

Articles for a Cessation sent by the Parliament to the King, *Febr.* 28. 164$\frac{2}{3}$.

WHereas the Lords and Commons in Parliament, out of a tender sense of the present Miseries and Distractions of the Kingdom, and for the obtaining and settling of a happy Peace between his Majesty and his People, have humbly presented his Majesty divers Propositions, to which he hath been pleased to make this return; That his desire was that a speedy Time and Place might be appointed for the discussing of those Propositions, and likewise some others proposed by his Majesty. It is thereupon agreed in both Houses, that a *Committee of both Houses* shall be appointed to attend his Majesty, on or before the fourth of *March*; if his Majesty shall so please to endeavour to give him all humble and fit satisfaction concerning the said Propositions, both his Majesty's and their own. And whereas for the more speedy removal of the bloody and miserable effects of War, his Majesty hath likewise been graciously pleased by a late Message, to signifie his desire, That for avoiding all intervening Accidents of War, which might interrupt this Treaty, there might be a *Cessation of Arms* under such particular Conditions and Limitations as should be agreed on, their humble desires therein concurring with his Majesty. It is by them assented and agreed, That a Cessation of Arms, in order to such a Treaty as is resolved upon by both Houses of Parliament, may be enjoyned to all the Armies and Forces now on foot in the Kingdom of *England* and Dominion of *Wales*, on either side, under the Restrictions and Limitations hereafter following; and that neither side shall be bound and limited by this Cessation, in any otherwise, or to any other purpose then is hereafter expressed.

I. *THat all manner of Arms, Ammunition, Victuals, Money, Bullion, and all other Commodities passing without such a Safe-conduct as may warrant their passage, may be staid and seized on, as if no such Cessation were agreed on at all.*

II. *That all manner of Persons passing without such a safe Conduct as is mentioned in the Article next going before, shall be apprehended and detained, as if no such Cessation were agreed on at all.*

III. *That his Majesty's Forces in* Oxfordshire *shall advance no nearer to* Windsor *than* Wheatly, *and in* Buckinghamshire *no nearer to* Aylesbury *than* Brill, *and that in* Berks *the Forces respectively shall not Advance nearer the one to the other then now they are: And that the Parliament Forces in* Oxfordshire *shall advance no nearer to* Oxford *then* Henley; *and those in* Buckingham *no nearer to* Oxford *then* Aylesbury: *And that his Majesty's Forces shall take no new Quarters above twelve miles from* Oxford, *any way; and that the Parliament Forces shall take no new Quarters above twelve miles from* Windsor *any way.*

IV.

19 Caroli.

IV. *That no Siege ſhall be begun or continued againſt* Gloceſter, *and that his Majeſty's Forces now employed in the Siege ſhall return to* Cirenceſter, *and* Malmsbury, *or to* Oxford, *as ſhall be moſt for their conveniency; and the Parliament Forces which are in* Gloceſterſhire, *ſhall remain in the Cities of* Gloceſter, Briſtol, *and the Caſtle and Town of* Berkley, *or retire nearer to* Windſor, *as they ſhall ſee cauſe; And that thoſe of* Wales *which are drawn to* Gloceſter, *ſhall return into their Quarters, where they were before they drew down to* Gloceſterſhire.

V. *That in caſe it be pretended on either ſide, that the Ceſſation is violated, no Act of Hoſtility is immediately to follow, but firſt the party complaining is to acquaint the Lord General on the other ſide, and to allow three days after notice given for ſatisfaction. And in caſe ſatisfaction be not given or accepted, then five days notice to be given before hoſtility begin. And the like to be obſerved in the remoter Armies by the Commanders in Chief.*

VI. *Laſtly, That all the other Forces in the Kingdom of* England *and Dominion of* Wales, *and not before-mentioned, ſhall remain in the ſame Quarters and Places, as they are at the time of the publiſhing of this Ceſſation, and under the ſame Conditions as are mentioned in the Articles before, and that this Ceſſation ſhall not extend to reſtrain the ſetting forth, or employing of any Ships for the defence of his Majeſty's Dominions.*

All which they humbly deſire his Majeſty will be pleaſed to ratifie and confirm; and that this Ceſſation may begin upon the fourth of *March* next, or ſooner if it may be, and continue until the five and twentieth of the ſame Month, and in the mean time to be publiſhed to the Commanders, Officers, and Soldiers, and all other his Majeſty's loving Subjects on either ſide, and that the Treaty intended, may commence upon the fourth of *March* next, or ſooner if it may be, and the continuance thereof not to exceed twenty days.

Hen. Elſynge Cler. Parl. D. Com.

His Majeſty's Meſſage to both Houſes of Parliament, in Anſwer to the Articles of Ceſſation, received at a Conference, Martii 6. 1642.

The King's Anſwer and Articles for a Ceſſation.

HIS Majeſty hoped the Treaty would have been begun, and the Ceſſation agreed on long ſince, and that much might in this time have been concluded in order to the Peace and Happineſs of the Kingdom; but ſince in almoſt a month (for his Majeſty's Propoſitions were made on the third of *February*, and he heard not ſince from both Houſes till the firſt of *March*) no conſent hath been yielded to it; He conceives the Ceſſation cannot begin ſo ſoon as the fourth of this month, by which time (though his Majeſty uſes no delay in making his Anſwer) the ſame can hardly be returned to them: And many of the Articles now preſented to him from both Houſes concerning the Ceſſation, are ſo ſtrict, that ſuch of his good Subjects, who are not of his Army, (and for whom generally he ſhall always have a principal, juſt and compaſſionate regard) receive not any benefit, or are reſtored to any liberty thereby, which his Majeſty ſhall ever inſiſt upon (when in matters meerly concerning himſelf, he may deſcend to eaſier Conditions) and which he hath returned with ſuch Alterations, as he doubts not but both Houſes will conſent to, and do ſufficiently manifeſt how ſolicitous his Majeſty is for the good of his People, and how deſirous he is, that in this unnatural Contention no more

An. 1643. blood of his Subjects may be ſpilt (upon which he looks with much grief, compaſſion and tenderneſs of heart) even of thoſe who have lifted up their hands againſt him; and his Majeſty therefore deſires (againſt which he can imagine no objection can be made) that the Ceſſation may begin upon the twelfth of this Month, or ſooner, if the Condi[illegible] Ceſſation ſhall be ſooner agreed on, and is willing the [illegible] for twenty days, in which time he hopes by the Treaty [illegible] underſtanding of each other, a full Peace and Happineſs [illegible] throughout the Kingdom. And during that time his Majeſty is willing that neither ſide ſhall be bound or limited by this Ceſſation in any otherwiſe, or to any other purpoſe then is hereafter expreſſed.

I. *THat all manner of Arms, Ammunition, Money, Bullion, and Victuals paſſing for the uſe of either Army, without a Paſs or Safe-conduct from the Generals of each Army, may be ſtaid and ſeiz'd on, as if no Ceſſation were agreed on at all.*

II. *That all Officers and Soldiers of either Army paſſing without ſuch Licence or Safe-conduct as aforeſaid, may be apprehended and detained, as if no ſuch Ceſſation were agreed on at all: And that all manner of perſons his Majeſty's Subjects, of what quality or condition ſoever (except Officers and Soldiers of either Army) ſhall paſs to and from the Cities of* Oxford *and* London, *and back again at their pleaſures during this Ceſſation, as likewiſe to and from any other parts of his Majeſty's Dominions, without any ſearch, ſtay, or impriſonment of their perſons, or ſeiſure and detention of their Goods or Eſtates; And that all manner of Trade, Traffique and Commerce, be free and open between all his Majeſty's Subjects, excepting as aforeſaid, between the Officers and Soldiers of either Army, or for Arms, Ammunition, Money, Bullion, or Victuals, for the uſe of either Army without a Paſs or Safe-conduct, as aforeſaid, which may be a good beginning to renue the Trade and Correſpondence of the Kingdom, and whereby his good Subjects may be reſtored to that liberty and freedom they were born to, and have ſo happily enjoyed, till theſe miſerable Diſtractions, and which even during this War, his Majeſty hath to his utmoſt laboured to preſerve, opening the way by moſt ſtrict Proclamations to the paſſage of all Commodities, even to the City of* London *it ſelf.*

III. *That his Majeſty's Forces in* Oxfordſhire *ſhall advance no nearer to* Windſor *then* Wheatly, *and in* Buckinghamſhire *no nearer to* Aylesbury *then* Brill, *and that in* Barkſhire *the Forces reſpectively ſhall not advance nearer the one to the other, then they ſhall be at the day to be agreed upon for the Ceſſation to begin; And that the Forces of the other Army in* Oxfordſhire, *ſhall advance no nearer to* Oxford *then* Henly, *and thoſe in* Buckinghamſhire *no nearer to* Oxford *then* Aylesbury; *And that the Forces of neither Army ſhall advance their Quarters nearer to each other then they ſhall be upon the day agreed on for the Ceſſation to begin, otherwiſe then in Paſſage and Communication between their ſeveral Quarters reſpectively, without any Acts of Hoſtility each to other, but may inlarge themſelves within their own Quarters reſpectively, as they ſhall find convenient.*

IV. *That the Forces of either Army in* Gloceſterſhire, Wiltſhire, *and* Wales, *as likewiſe in the Cities of* Gloceſter, Briſtol, *and the Caſtle and Town of* Berkley, *ſhall be guided by the Rule expreſt in the latter part of the precedent Article.*

V. *That in caſe it be pretended on either ſide, that the Ceſſation is violated, no Act of Hoſtility is immediately to follow, but firſt the party complaining is to acquaint the Lord General on the other ſide, and to allow three days after notice given for ſatisfaction, and in caſe ſatisfaction be not*

given

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given or accepted, then five days notice to be given before hoſtility begin; And the like to be obſerved in the remoter Armies by the Commanders in Chief.

VI. *That all other Forces in the Kingdom of* England *and Dominion of* Wales, *not before-mentioned, ſhall remain in the ſame Quarters and Places, as they are at the time of publiſhing this Ceſſation, otherwiſe then in paſſage and communication between their ſeveral Quarters, as is mentioned in the latter part of the third Article; And that this Ceſſation ſhall not extend to reſtrain the ſetting forth, or imploying any Ships for the defence of his Majeſty's Dominions, provided that his Majeſty be firſt acquainted with the particulars, and that ſuch Ships as ſhall be ſet forth be commanded by ſuch perſon as his Majeſty ſhall approve of.*

VII. *Laſtly, That during the Ceſſation none of his Majeſty's Subjects be impriſoned, otherwiſe then according to the known Laws of the Land; and that there ſhall be no plundering or violence offered to any of his Subjects. And his Majeſty is very willing, if there be any Scruples made concerning theſe Propoſitions and Circumſtances of the Ceſſation, That the Committee for the Treaty nevertheleſs may immediately come hither, and ſo all matters concerning the Ceſſation, may be here ſettled by him.*

Hen. Elſynge Cler. Parl. D. Com.

Then the two Houſes nominated for their Commiſſioners to treat with his Majeſty two Lords, *viz.* the Earl of *Northumberland* and the Lord *Say*, and four Commons, *viz.* Mr. *Pierrepoint*, Sir *William Ermyn*, Sir *John Holland*, and Mr. *Whitlock*. But the King again refuſed his Safe-conduct to the Lord *Say* for the reaſon before-mentioned; but withal ſignified, That in caſe they thought fit to ſend any other in his room, not liable to the ſame Exception, he ſhould enjoy the benefit of the *Safe-conduct*, as well as if particularly named. But they did not name any in his ſtead, and ſo only the other five went.

His Majeſty alſo, together with the *Safe-conduct*, ſent a Meſſage, That he is content that *his* Propoſition concerning the Magazines, *&c.* and *theirs* for disbanding the Armies be firſt treated of and agreed, before they proceed to any other Propoſitions. And then the ſecond of his Majeſty's, and the ſecond of theirs, and ſo in order: And that from the beginning of the Treaty, the time may not exceed twenty days.

The laſt Articles of Ceſſation now ſent to his Majeſty.

The Parliaments laſt Articles for Ceſſation ſent by their Commiſſioners to his Majeſty.

THE Lords and Commons in Parliament being ſtill carried on with a vehement deſire of Peace, that ſo the Kingdom may ſpeedily be freed from the Deſolation and Deſtruction wherewith it is like to be overwhelmed if the War ſhould continue, have with as much expedition as they could, conſidered of the Articles of Ceſſation, with thoſe Alterations and Additions offered by his Majeſty, unto which they are ready to agree in ſuch manner as is expreſt in theſe enſuing Articles, (*viz.*)

1. *That all manner of Arms, Ammunition, Victual, Money, Bullion, and all other Commodities, paſſing without a Safe-conduct from the Generals of both Armies, as well of his Majeſty's as of the Armies, raiſed by the Parliament, may be ſtaid and ſeiz'd on, as if no Ceſſation were agreed on at all.*

2. *That all manner of perſons paſſing without ſuch a Safe-conduct as is mentioned in the Articles next going before, ſhall be apprehended and detained, as if no ſuch Ceſſation were agreed on at all.*

3. *That his Majeſty's Forces in* Oxfordſhire *ſhall advance no nearer to* Windſor

An. 1643. Windſor *then* Wheatly, *and in* Buckinghamſhire *no nearer to* Aylesbury *then* Brill, *and that in* Barkſhire *the Forces reſpectively, ſhall not advance nearer the one to the other, then they ſhall be at the day to be agreed on the Ceſſation to begin; And that the Forces of the other Army the Parliament ſhall advance no nearer to* Oxford *then* [illegible] *in* Buckinghamſhire *no nearer to* Oxon *then* Ayles[illegible] *Forces of neither Army ſhall advance their Quarte[illegible] then they ſhall be upon the day agreed on for the Ceſſation*

4. *That the Forces of either Army in* Gloceſterſhire [illegible] Wales, *as likewiſe in the Cities of* Gloceſter *and* Briſtol, *and the [illegible] and Town of* Berkley *ſhall be guided by the Rule expreſt in the latter part of the precedent Article.*

5. *That in caſe it be pretended on either ſide, That the Ceſſation is violated, no Act of Hoſtility is immediately to follow, but firſt the party complaining is to acquaint the Lord General on the other ſide, and to allow three days after notice given for ſatisfaction; and in caſe ſatisfaction be not given or accepted, then five days notice to be given before Hoſtility begin, and the like to be obſerved in the remoter Armies by the Commanders in Chief.*

6. *That all other Forces in the Kingdom of* England, *and Dominion of* Wales, *not before-mentioned, ſhall remain in the ſame Quarters and Places as they are at the time of the publiſhing of this Ceſſation, and under the ſame Conditions as are mentioned in the Articles before; And that this Ceſſation ſhall not extend to reſtrain the ſetting forth or employing of any Ships for the defence of his Majeſty's Dominions.*

7. *That as ſoon as his Majeſty ſhall be pleaſed to disband the Armies which both Houſes earneſtly deſire may be ſpeedily effected, and to diſarm the Papiſts according to Law, the Subjects may then enjoy the benefit of Peace in the Liberty of their Perſons, Goods, and Freedom of Trade; in the mean time, the Generals and Commanders of the Armies of both ſides ſhall be enjoyned to keep the Soldiers from plundering, which the two Houſes of Parliament have ever diſliked and forbidden.*

And for the ſpeedy ſettling of this ſo much deſired Peace, they have thought good to ſend their Committees with Inſtructions, that if his Majeſty be pleaſed to conſent to a Ceſſation ſo limited and qualified, they may forthwith proceed to treat upon the Propoſitions; and becauſe the time is ſo far elapſed in theſe Preparations, they deſire the Ceſſation may begin the five and twentieth of this inſtant *March*, or ſooner if it may be, and in the mean time, notice to be given to all the Forces in the ſeveral and remote Parts, and the Commanders, Officers, and Soldiers, are enjoyned to obſerve this Ceſſation accordingly, to which they hope and pray, that God will give ſuch a bleſſing, that thereupon Peace, Safety, and Happineſs may be produced and confirmed to his Majeſty and all his People.

Hen. Elſynge Cler. Parl. Dom. Com.

Inſtructions

19 *Caroli.*

Inſtructions agreed on by the Lords and Commons in Parliament, to the Chief Governoon Earl of Northumberland, William *Lord Viſcount* Wales, *now Lord Chamberlain and* Seal, William Pierrepoint *Eſq*; *Sir* William *as they are* [illegible] *Baronet*, *Sir* John Holland *Baronet*, *and* Bulſtrode Whitlock *Eſquire.*

Committees appointed to attend his Majeſty upon the Propoſitions made by his Majeſty to the Parliament, and likewiſe upon the other Propoſitions humbly preſented from them to his Majeſty.

The Parliaments Inſtructions to their Commiſſioners.

YOU ſhall preſent to his Majeſty the Articles agreed on for the Ceſſation of Arms, humbly deſiring his Majeſty to ratifie and confirm the ſame under the Great Seal, which being obtained, you are to ſend it up to the Parliament with all poſſible ſpeed, and ſhall likewiſe beſeech the King to diſpatch away Meſſengers to the Generals, Commanders, and Soldiers of all his Armies and Forces, with a ſtrict Command and Injunction, that they obſerve thoſe Articles of Ceſſation, according as they are agreed upon, as the two Houſes likewiſe intend to give the like direction to the Lord General of the Armies raiſed for their defence.

After his Majeſty hath declared and ratified the Ceſſation, you ſhall then proceed to the Treaty, beginning with the firſt Propoſition on his Majeſty's behalf, concerning his Majeſty's own Revenue, his Magazines, Towns, Forts, and Ships, and thereunto make this Anſwer.

You ſhall declare, That the two Houſes of Parliament have not made uſe of his Majeſty's own Revenue, but in a very ſmall proportion, which for a good part hath been employed in the maintainance of his Majeſty's Children, according to the allowance eſtabliſhed by himſelf; and they will ſatisfie what ſhall remain due to his Majeſty of thoſe ſums received, out of his Majeſty's own Revenues, and ſhall leave the ſame to his Majeſty for the time to come; and you likewiſe ſhall propound to his Majeſty, that he will reſtore what hath been taken for his uſe, upon any of the Bills aſſigned to other purpoſes by ſeveral Acts of Parliament, or out of the proviſion made for the War of *Ireland.*

That they will remove the Garriſons out of all Towns and Forts in their Hands, wherein there were no Garriſons before theſe Troubles, and ſleight all Fortifications made ſince that time, which Towns and Forts it is to be agreed on both parts, ſhall continue in the ſame condition they were in before; and that thoſe Garriſons ſhall not be renewed, nor the Fortifications repaired without conſent of his Majeſty, and both Houſes of Parliament.

That for thoſe Towns and Forts which are within the Juriſdiction of the *Cinque Ports*, they ſhall be delivered up into the hands of ſuch a Noble Perſon as his Majeſty ſhall appoint to be Warder of the *Cinque Ports*, being ſuch a one as they ſhall confide in.

That the Town of *Portſmouth* ſhall be reduced to the number of the Garriſon, as was at the time when the Lords and Commons undertook the cuſtody thereof. And ſuch other Forts, Caſtles and Towns, as were formerly kept by Garriſons, as have been taken by them into their care and cuſtody, ſince the beginning of theſe Troubles, ſhall be reduced to ſuch proportion of Garriſon as they had in the year 1636. and ſhall be ſo continued; and that all the ſaid Towns, Forts, and Caſtles ſhall be delivered up into the hands of ſuch Perſons of Quality and Truſt, to be likewiſe nominated by his Majeſty, as the two Houſes ſhall confide in.

That the Warden of the *Cinque Ports*, and all Governours and Commanders

An. 1643.

manders of Towns, Caſtles, and Forts, ſhall keep the ſame Towns, Caſtles and Forts reſpectively for the Service of his Majeſty and the Safety of the Kingdom; and that they ſhall not admit into any of them any Forreign Forces raiſed without his Majeſty's Authority and Conſent of the 2 Houſes of Parliament; and they ſhall uſe their uttermoſt endeavours to ſuppreſs all Forces whatſoever raiſed without ſuch Authority and Conſent; and they ſhall ſeize all Arms and Ammunition provided for any ſuch Forces.

That the Ships ſhall be delivered into the charge of ſuch a Noble Perſon, as his Majeſty ſhall nominate to be Lord High Admiral of *England*, and the two Houſes of Parliament confide in, who ſhall receive the ſame Office by Letters Patent *quam diu bene ſe geſſerit*, and ſhall have power to nominate and appoint all ſubordinate Commanders and Officers, and have all other powers appertaining to the Office of High Admiral, which Ships he ſhall employ for the defence of the Kingdom againſt all Forreign Forces whatſoever, and for the ſafeguard of Merchants, ſecuring of Trade, and the guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels; and ſhall uſe his uttermoſt endeavour to ſuppreſs all Forces which ſhall be raiſed by any Perſon without his Majeſty's Authority, and conſent of the Lords and Commons in Parliament; and ſhall ſeize all Arms and Ammunition provided for ſupply of any ſuch Forces.

That all the Arms and Ammunition taken out of his Majeſty's Magazines, which ſhall remain in their hands, ſhall be delivered into his Stores, and whatſoever ſhall be wanting, they will in convenient time ſupply in kind, according to the proportions which they have received; And that the Perſons to whoſe charge thoſe publick Magazines ſhall be committed, being nominated by his Majeſty, ſhall be ſuch as the Lords and Commons ſhall confide in; And you ſhall propound to his Majeſty, that he will reſtore all ſuch Arms and Ammunition as have been taken for his uſe from the ſeveral Counties, Cities, and Towns.

To the Propoſition made by the two Houſes concerning the disbanding of the Armies, you ſhall humbly deſire his Majeſty's ſpeedy and poſitive Anſwer, unto which if he ſhall be pleaſed to give his Aſſent, you ſhall then beſeech his Majeſty, in the name of both Houſes, that a neer day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkſhire*, and the other Northern Counties, as alſo in *Lancaſhire*, *Cheſhire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devon*; And they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnſhire*, *Nottinghamſhire*, *Leiceſterſhire*, and all other Places, except at *Oxford*, and the Quarters thereunto belonging, and *Windſor*, and the Quarters thereunto belonging; And that laſt of all a ſpeedy day be appointed for the disbanding thoſe two Armies at *Windſor* and *Oxford*, and all the Forces, Members of either of them.

That ſome Officers of both Armies may ſpeedily meet to agree of the manner of the disbanding, and that fit Perſons may be appointed by his Majeſty and the Parliament, who may repair to the ſeveral Armies, and ſee the disbanding put in ſpeedy execution accordingly.

That his Majeſty do likewiſe remove the Garriſons out of *Newcaſtle*, and all other Towns, Caſtles and Forts, where any Garriſons have been placed by him ſince theſe Troubles; And that the Fortifications be likewiſe ſlighted, and the Towns and Forts left in ſuch ſtate and condition as they were in the year 1636.

That all other Towns, Forts and Caſtles, where there have been formerly Garriſons before theſe Troubles, be committed to the charge of

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19 *Caroli.*

ſuch Perſon to be nominated by his Majeſty as the Parliament ſhall confide in, and under ſuch Inſtructions as are formerly mentioned.

That if his Majeſty ſhall be pleaſed to aſſent to theſe Propoſitions concerning the Towns, Forts, Caſtles, Magazines and Ships, that then his Majeſty be humbly intreated to name Perſons of Quality to receive the charge of the ſeveral Offices and Forts, Caſtles and Towns, to be forthwith certified to the two Houſes of Parliament, that thereupon they may expreſs their confidence in thoſe Perſons, or humbly beſeech his Majeſty to name others: None of which Perſons ſhall be removed during three years next enſuing without juſt Cauſe to be approved by Parliament, and if any be ſo removed, or ſhall dye within the ſaid ſpace, the Perſon to be put into the ſame Office, ſhall be ſuch as both Houſes ſhall confide in.

That all Generals and Commanders in any of the Armies on either ſide, as likewiſe the Lord Admiral of *England*, the Lord Warden of the *Cinque Ports*, all Commanders of any Ships, and Commanders of any Town, Caſtle or Fort, ſhall take an Oath to obſerve theſe Articles afore-mentioned; and to uſe their uttermoſt power to preſerve the true Reformed Proteſtant Religion, and the Peace of the Kingdom againſt all Forreign Force, and all other Forces raiſed without his Majeſty's Authority and Conſent of the two Houſes of Parliament.

You ſhall move his Majeſty, that for the better diſpatch of the Treaty, and the free intercourſe of Inſtructions and Advertiſements betwixt the two Houſes of Parliament and the Committee, that there may be a free Paſs of Meſſengers to and from the Parliament and the Committees, without ſearch or interruption, and his Majeſty's Safe-conduct to be obtained to that effect to ſuch Perſons as are, or ſhall be appointed for that ſervice, *viz.* For

Mr. *John Ruſhworth*, Mr. *Michael Welden*, Mr. *John Corbet* of *Grays-Inn*, and Mr. *James Standiſh*.

Hen. Elſynge Cler. Parl. D. Com.

The King's Meſſage concerning the Ceſſation, 23 Martii 1642.

CHARLES R.

HIS Majeſty hath immediately upon their arrival admitted the Committee ſent to him from both Houſes of Parliament (as the Meſſengers of Peace) to his Royal Preſence, and received the Articles of Ceſſation brought by them, which are in effect the ſame his Majeſty formerly excepted to, though their expreſſion in the Preface to theſe Articles of their readineſs to agree to thoſe Alterations and Additions offered by his Majeſty in ſuch manner as is expreſſed, made him expect to have found at leaſt ſome of the real Alterations and Additions made by him admitted, which he doth not diſcover.

1. His Majeſty deſired that Proviſion might be made, and licence given to his good Subjects for their freedom of Trade, Traffique and Commerce (though in matters which concerned himſelf more immediately, as in Arms, Ammunition, Money, Bullion and Victual, for the uſe of his Army, and the Paſſage of all Officers and Soldiers of his Army, he was contented the reſtraint ſhould be in ſuch manner as was propoſed) of which his Majeſty is ſo tender, that as he hath provided for the ſame by gracious Proclamations, ſo he doth daily releaſe and diſcharge ſuch Merchandize and Commodities, as are contrary to thoſe Proclamations ſtaid by any of his Majeſty's Forces.

To this freedom and liberty of his good Subjects, there is not the leaſt admiſſion given by theſe Articles, ſo that they have not any eaſe or bene-

An. 1643.

fit by this Ceſſation, which his Majeſty deſires both Houſes to conſider of; and whether, if his Majeſty ſhould take the ſame courſe to ſtop and interrupt the Trade of the Kingdom, as the other Army doth, a general loſs and calamity would not ſeize upon his good Subjects.

2. His Majeſty, to the end that a full Ceſſation might be as well at Sea as at Land, and he might be ſecured, that the Ships propoſed to be ſet forth for the Defence of his Majeſty's Dominions, ſhould be employed only to that end and purpoſe, deſired that they might be put under the Command of Perſons to be approved of by his Majeſty, which is not conſented to by theſe Articles, but their former, to which his Majeſty excepcepted, ſtrictly and entirely inſiſted on, by which (beſides that part of Hoſtility remains) the conveying of any number of Forces from any part to any other, by that means, remains free to them.

3. For the prevention of any Inconveniencies which might ariſe upon real Differences or Miſtakes upon the Latitude of Expreſſions (as if his Majeſty ſhould now conſent to theſe Articles propoſed, in the Terms propoſed, he muſt confeſs the Army, of which he complains, to be raiſed by the Parliament, and either himſelf to be no part of the Parliament, or himſelf to have raiſed that Army) and for prevention of that delay which he foreſaw could not otherwiſe be avoided, if upon every Difference the Queſtions muſt be remitted to *London*, his Majeſty deſired that the Committee (for whom he then ſent a Safe-conduct) might have liberty to debate any ſuch Differences and Expreſſions, and reconcile the ſame, that all poſſible Expedition might be uſed to the main Treaty.

In this point of ſo high Concernment, no power is given in theſe Articles; and the Committee confeſſed to his Majeſty, they have no power given, but are ſtrictly and preciſely bound to the very words of the Articles now ſent; and that before theſe are conſented to by us, they cannot enter into any Treaty concerning the other Propoſitions.

4. His Majeſty deſired, that during the Ceſſation none of his good Subjects might be impriſoned, otherwiſe then according to the known Laws of the Land.

This is in no degree conſented to, but the Priviledge and Liberty (to which they were born) reſerved from them till the disbanding of both Armies (though they are no part of either Army) and ſo have no benefit by this Ceſſation.

5. His Majeſty deſired, that during this Ceſſation there ſhould be no Plundering or Violence offered to any of his Subjects.

In the anſwer to which, his deſire againſt Violence is not at all taken notice of, nor is his deſire againſt Plundering any ways ſatisfied; his Majeſty not only intending by it the robbing of the Subject by the unruline ſs of the uncommanded Soldier (which their clauſe of requiring the Generals and Officers to keep them from it ſeems to imply; and the aſſertion, that the two Houſes of Parliament had ever diſliked, and forbidden it, declares plainly, to be their only meaning) but particularly the violence and plundering us'd to his Subjects, by forcibly taking away their Goods for not ſubmitting to Impoſitions and Taxes required from them by Orders or Ordinances of one or both Houſes of Parliament, which are contrary to the known Laws of the Land.

6. Beſides that, there is no conſent given to thoſe Alterations and Additions offered by his Majeſty, (whatſoever is pretended) ſo where an abſolute Conſent may be ſuppoſed, becauſe the very words of his Majeſty's Article are wholly preſerved, yet by reaſon of the Relation to ſomewhat going before, that is varied by them, the ſenſe of thoſe words is wholly varied too, as in the fourth Article, that part of the third Article,

to

to which that did refer, being wholly left out. So that upon the matter all the Propoſitions made by his Majeſty (which did not in terms agree with thoſe preſented to him) are utterly rejected.

For theſe Reaſons, and that this Entrance towards a bleſſed Peace and Accommodation (which hath already filled the hearts of the Kingdom with Joy and Hope) may be improved to the wiſhed end, his Majeſty deſires, that the Committee now ſent, may ſpeedily have liberty to treat, debate, and agree upon the Articles of Ceſſation, in which they and all the World ſhall find, that his Majeſty is leſs ſollicitous for his own Dignity and Greatneſs, then for his Subjects Eaſe and Liberty. And he doubts not upon ſuch a Debate all differences concerning the Ceſſation will be eaſily and ſpeedily agreed upon, and the benefit of a Ceſſation be continued and confirmed to his People by a ſpeedy disbanding of both Armies, and a ſudden and firm Peace, which his Majeſty above all things deſires.

If this ſo reaſonable, equal, and juſt Deſire of his Majeſty ſhall not be yielded unto, but the ſame Articles ſtill inſiſted upon, though his Majeſty next to Peace deſires a Ceſſation, yet that the not agreeing upon the one, may not deſtroy the hopes of, nor ſo much as delay the other; He is willing however to Treat (even without a Ceſſation, if that be not granted) upon the Propoſitions themſelves, in that order as is agreed upon (and deſires the Committee here may be enabled to that effect) In which Treaty he ſhall give all his Subjects that Satisfaction, That if any Security to enjoy all the Rights, Priviledges and Liberties due to them by the Law, or that happineſs in Church and State, which the beſt times have ſeen, with ſuch farther Acts of Grace as may agree with his Honour, Juſtice and Duty to his Crown, and as may not render him leſs able to protect his Subjects according to his Oath, will ſatisfie them, he is confident in the Mercy of God, that no more precious Blood of this Nation will be thus miſerably ſpent.

The Parliaments leave for their Commiſſioners to Treat, though the Ceſſation not agreed on, *March* 24. $164\frac{2}{3}$.

My Lords and Gentlemen,

WHereas by your former Inſtructions you are tied up to a Circumſtance of Time, and are not to proceed unto the Treaty upon the Propoſitions, until the Ceſſation of Arms be firſt agreed upon; You are now authorized and required, as you may perceive by the Votes of both Houſes, which you ſhall herewith receive, to Treat and Debate with his Majeſty upon the two firſt Propoſitions, according to thoſe Inſtructions, for four days after the day of the Receipt hereof, notwithſtanding that the Ceſſation be not agreed upon.

Your Lordſhips moſt humble Servant,

Mancheſter.

Speaker of the Houſe of Peers *pro tempore.*

March 24. 1642. Received *March* 25.

Die Veneris, 24 Martii 1642.

Reſolved upon the Queſtion by the Lords and Commons in Parliament;

THat the Committee at *Oxon* ſhall have power to treat and Debate with his Majeſty upon the two firſt Propoſitions, according to their Inſtructions, for four days after the day of the Receipt of this Meſſage, notwithſtanding that the Ceſſation is not yet agreed upon.

An. 1643.

Reſolved, &c.

THat the Committee formerly appointed to prepare the Articles of Ceſſation and Inſtructions for the Committee at *Oxon*, ſhall conſider of an Anſwer to be made to his Majeſty's Meſſage this day received; And likewiſe, prepare Reaſons to be ſent to the Committee for them to preſs in the Treaty and Debate upon the former Articles of Ceſſation; and to ſhew his Majeſty the grounds why the Houſes cannot depart from thoſe former Articles.

J. Browne Cler. Parliamentorum.

The Votes of both Houſes, and the Copy of the Anſwer to his Majeſty. Received *Martii* 25. 1642.

May it pleaſe your Majeſty;

WE Your Loyal Subjects the Lords and Commons in Parliament, having received a Meſſage from your Majeſty, in which you are pleaſed to expreſs your ſelf not to be ſatisfied with the Articles of Ceſſation preſented unto you by our Committee now attending you at Oxford, *and yet a ſignification of your Majeſty's willingneſs to Treat upon the Propoſitions themſelves, even without a Ceſſation; Do with all humbleneſs give our conſent that our Committee ſhall have power to Treat and Debate with your Majeſty upon the two firſt Propoſitions, according to their Inſtructions, for four days after the day of the receit of this Meſſage, notwithſtanding that the Ceſſation be not yet agreed upon, That (as much as in us lies) there may be no delay in the proceedings, for the obtaining of a bleſſed Peace, and the healing up the miſerable Breaches of this diſtracted Kingdom; and do purpoſe to repreſent very ſpeedily unto your Majeſty, thoſe juſt Reaſons and Grounds, upon which we have found it neceſſary to deſire of your Majeſty a Ceſſation, ſo qualified as that is, whereby we hope you will receive ſuch ſatisfaction, as that you will be pleaſed to aſſent unto it, and being obtained, we aſſure our ſelves it will be moſt effectual to the Safety of the Kingdom, and that Peace, which with ſo much Zeal and Loyal Affection to your Royal Perſon, and in a deep ſenſe of the bleeding condition of this poor Kingdom, we humbly beg of your Majeſty's Juſtice and Goodneſs.*

John Browne, Cleric. Parliament.

A Letter from the Earl of *Mancheſter* to the Earl of *Northumberland*. Received *March* 29.

My Lord,

I Am commanded by the Peers in Parliament, to ſend unto your Lordſhip the Reaſons which both Houſes think fit to offer unto his Majeſty, in purſuit of their adhering to their former Reſolutions concerning the Articles of the Ceſſation of Arms. My Lord, you ſhall likewiſe receive additional Inſtructions from both Houſes, and a Vote, which I ſend you here incloſed, My Lord, This is all I have in command, as

Your Lordſhips moſt humble Servant,

March 27. *Mancheſter.*

Speaker of the Houſe of Peers, *pro tempore.*

Die

19 *Caroli.*

Die Lunæ, 27 *Martii* 1643.

Reſolved upon the Queſtion by the Lords in Parliament;

THat the Earl of *Northumberland* their Committee at *Oxford*, is thereby authorized to acquaint his Majeſty with all their Inſtructions upon the two firſt Propoſitions.

John Browne Cler. Parl.

Additional Inſtructions, *March* 29.

Additional Inſtructions agreed upon by the Lords and Commons in Parliament for Algernon *Earl of* Northumberland, William *Viſcount* Say *and* Seal, William Pierrepoint *Eſquire*, *Sir* William Armine *Baronet*, *Sir* John Holland *Baronet*, *and* Bulſtrode Whitlock *Eſquire*, *Committees attending his Majeſty upon the Ceſſation and Treaty.*

YOU ſhall alter the words mentioned in his Majeſty's third Article in this manner, leaving out the words (*The Army raiſed by the Parliament*) and putting in theſe words (*The Army raiſed by both Houſes of Parliament*).

You ſhall humbly preſent to his Majeſty the Reaſons here-withal ſent from both Houſes, for their not aſſenting to thoſe Alterations and Additions to the Articles of Ceſſation offered by his Majeſty.

You ſhall preſs the force of thoſe Reaſons, or any other, as there ſhall be occaſion, in the beſt manner you may, to procure his Majeſty's aſſent to thoſe Articles of Ceſſation, which if you ſhall obtain within two days after the day of the receit hereof, you ſhall in the name of both Houſes of Parliament agree and conclude upon the Ceſſation, to continue to the end of twenty days, to be reckoned from the twenty fifth of *March*, and upon a day certain as ſoon as may be, when the ſame ſhall firſt begin, and be of force; within which time notice is to be given as well by his Majeſty, as by the Lords and Commons, to the ſeveral Generals, Commanders and Soldiers reſpectively, to obſerve the ſame Ceſſation, as it is qualified and limited in thoſe Articles; And after ſuch Concluſion made, you ſhall take care that thoſe Articles be paſt under the Great Seal in a fitting and effectual manner, and ſpeedily ſent up to the Lords and Commons in Parliament, with four Duplicates of the ſame at leaſt.

If his Majeſty ſhall pleaſe to agree upon the two Propoſitions concerning his own Revenues, Towns, Forts, Magazines and Ships, and the diſbanding of the Armies, you are then authorized fully to agree and conclude upon thoſe Propoſitions, according to your Inſtructions; and you ſhall deſire his Majeſty, that the ſame may be forthwith put in execution, according to the Inſtructions formerly given in that behalf; and the two Houſes will be ready to put in execution what is to be performed on their part, of which you have hereby power to aſſure his Majeſty; and if his Majeſty ſhall not be pleaſed to agree upon thoſe two Propoſitions within the time of four days, you ſhall then ſpeedily give Advertiſement to the two Houſes of Parliament, that thereupon they may give ſuch further direction as to them ſhall ſeem fit.

Joh. Browne Cler. Parliamentorum.

The

An. 1643.

The Parliaments Reaſons why they cannot agree to the Articles of the Ceſſation, as altered by his Majeſty, Martii 27. 1643.

To the King's moſt Excellent Majeſty.

THE Lords and Commons in Parliament aſſembled, do with all humble thankfulneſs acknowledge your Majeſty's favour in the ſpeedy admiſſion of their Committee to your Royal Preſence, and the expedition of your Exceptions to their Articles, that ſo they might more ſpeedily endeavour to give your Majeſty ſatisfaction; and although they were ready to agree to the Articles of Ceſſation, in ſuch manner as they expreſt in their Preface, they cannot agree to the Alteration and Addition offered by your Majeſty, without great prejudice to the Cauſe, and danger to the Kingdom, whoſe Cauſe it is: The Reaſons whereof will plainly appear in the Anſwer to the Particulars preſt by your Majeſty.

1. *They do deny that they have reſtrained any Trade, but to ſome few of thoſe places where your Majeſty's Forces are enquartered, and even now in the heat of War do permit the Carriers to go into all the parts of the Kingdom, with all ſorts of Commodities for the uſe of the Subjects, except Arms, Ammunition, Money, and Bullion: But if they ſhould grant ſuch a free Trade as your Majeſty deſireth to* Oxford *and other places, where your Forces remains, it would be very difficult, if not impoſſible to keep Arms, Ammunition, Money and Bullion from paſſing into your Majeſty's Army, without very ſtrict and frequent ſearches, which would make it ſo troubleſome, chargeable, and dangerous to the Subjects, That the queſtion being but for twenty days for ſo few places, the Miſchiefs and Inconveniencies to the whole Kingdom would be far greater, then any advantage which that ſmall number of your Subjects (whom it concerns) can have by it.*

The Caſe then is much otherwiſe then is expreſt by your Majeſty's Anſwer; for whereas they are charged not to give the leaſt admiſſion of this liberty and freedom of Trade during the Ceſſation, the truth is, that they do grant it as fully to the benefit of the Subject, even in time of War; and that your Majeſty in preſſing this for the peoples good, doth therein deſire that which will be very little beneficial to the Subjects, but exceeding advantagious to your Majeſty, in ſupplying your Army with many neceſſaries, and making your Quarters a ſtaple for ſuch Commodities as may be vented in the adjacent Counties, and ſo draw Money thither, whereby the Inhabitants will be better enabled by Laws and Contributions to ſupport your Majeſty's Army: And as your Majeſty's Army may receive much advantage, and the other Army much danger, if ſuch freedom ſhould be granted to thoſe places; ſo there is no probability that the Army raiſed by the Lords and Commons ſhall have any return of Commodities and other Supplies from thence, which may be uſeful for them: And they conceive, That in a Treaty for a Ceſſation, thoſe demands cannot be thought reaſonable which are not indifferent, that is equally advantagious to both parties.

As they have given no interruption to the Trade of the Kingdom, but in relation to the ſupply of the contrary Army, which the reaſon of War requires; So they beſeech Your Majeſty to conſider, whether your Soldiers have not robbed the Carriers in ſeveral parts, where there hath been no ſuch reaſon, And your Ships taken many Ships, to the great dammage, not only of particular Merchants, but of the whole Kingdom. And whether your Majeſty have not declared your own purpoſe, and endeavoured by your Miniſters of

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19 Caroli.

State, to embarque the Merchants goods in Forreign parts, which hath been in ſome meaſure executed upon the Eaſtland *Merchants in* Denmark, *and is a courſe which will much diminiſh the Wealth of the Kingdom, violate the Law of Nations, make other Princes Arbiters of the differences betwixt your Majeſty and your People, break off the intercourſes between this and other States, and like to bring us into quarrels and diſſentions with all the Neighbour Nations.*

2. *To demand the approving of the Commanders of the Ships, is to deſire the Strength of one party to the other, before the difference be ended, and againſt all Rules of Treaty; To make a Ceſſation at Sea, would leave the Kingdom naked to thoſe Forreign Forces, which they have great cauſe to believe have been ſollicited againſt them, and the Ports open for ſuch Supplies of Arms and Ammunition as ſhall be brought from beyond the Seas: But for conveying any number of Forces by thoſe means from one part to another, they ſhall obſerve the Articles of the Ceſſation by which that is Reſtrained.*

3. *As for the expreſſion of the Army raiſed by the Parliament, They are contented it ſhould be altered thus* (raiſed by both Houſes of Parliament) *as not deſiring to differ upon words, but to give any concluſive power in this caſe to the Committee, upon ſuch difference as may ariſe, wherein the Houſes have given no expreſs direction, is neither ſafe for the Committee to undertake, nor fit for the two Houſes to grant; yet to debate and to preſs the reaſon of their deſires, whereby an agreement from your Majeſty may be procured, is granted to them; and although the two Houſes did think it moſt proper the Ceſſation ſhould be firſt agreed on, and that it was unfit to Treat in Blood; yet to ſatisfie the World of their earneſt longing after Peace, they have given power to the Committee to enter into the Treaty upon the two firſt Propoſitions, notwithſtanding the Ceſſation be not yet aſſented to; and thoſe being agreed, they hope the foundation will be laid, not only of a ſuſpenſion, but a total abolition of all hoſtility in the Kingdom.*

4. *If the nature of War be duly conſidered, it muſt needs be acknowledged, That it is incompetible with the ordinary Rules of a peaceable Government: Your Majeſty would have them commit none but according to the known Laws of the Land, whereby they conceive your Majeſty underſtands, That it muſt be by the ordinary Proceſs of Law, which being granted, it will follow, That no man muſt be committed by them for ſupplying your Majeſty with Arms, Powder, Ammunition: For by the Law of the Land, the Subject may carry ſuch Goods from* London, *or any other place to* Oxford, *the Soldiers muſt not be committed if they run from their Colours, and refuſe any duty in the Army,* No man ſhall be committed for not ſubmitting to neceſſary Supplies of money: *ſo that if this be yielded in your Majeſty's Senſe, they ſhall be diſabled to reſtrain Supplies from their Enemies, and to govern or maintain their own Soldiers: It cannot be thought reaſonable, that under the diſguiſe of a Ceſſation, they ſhould admit that which will neceſſarily produce the diſſolving of the Army, and deſtruction of the Cauſe.*

It ſeems not probable, That your Majeſty doth intend that if any be taken with Supplies for this Army, or mutining in your own, ſuch Perſons ſhall not be committed, but according to the known Laws of the Land, that is, by Proceſs of Law: But rather that your Majeſty will ſo interpret this limitation of known Laws, that though it lays ſtreight bonds upon the two Houſes, yet it leaves your Generals as much liberty as before: For it hath been denied by your Majeſty, That theſe known Laws give any power to the two Houſes of Parliament to raiſe Arms, and ſo conſequently their General cannot exerciſe any Martial Law in thoſe caſes; and it is not unlike but that it will be affirmed, That the Generals conſtituted by your Majeſty's Commiſſion, have that power by the ſame known Laws; ſo that this Article under the ſpecious

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An. 1643.

ſhew of Liberty and Law, would altogether diſable them to defend their Liberties and Laws, and would produce to your Majeſty an abſolute Victory and Submiſſion under pretence of a Ceſſation and Treaty.

5. Being by neceſſity inevitable on their part enforced to a defenſive War in this unhappy breach between your Majeſty and them, and that they are therein warranted both by the Laws of God and Man, it muſt needs follow, that by the ſame Law they are enabled to raiſe means to ſupport that War; and therefore till it ſhall pleaſe God to incline your Majeſty to afford them ſuch a Peace as may ſecure them, they cannot relinquiſh the power of laying Taxes upon thoſe who ought to joyn with them in that defence, and the neceſſary ways of leavying thoſe Taxes upon them, in caſe of refuſal, for otherwiſe their Army muſt needs be diſſolved. But if your Majeſty ſhall conſent to disband the Armies, the cauſe of the War being taken away, the conſequences will likewiſe be removed, and the Subject reſtored to the benefit of thoſe Laws which the neceſſity of Arms hath in ſuch Caſes ſuſpended.

6. They deny any pretence of conſenting to thoſe Alterations and Additions offered by your Majeſty; only in the Preamble they ſay they have conſidered of thoſe Articles, with ſuch Alterations and Additions, unto which Articles they profeſs they were ready to agree, not as they were accompanied with thoſe Alterations and Additions, but in ſuch manner as they expreſſed; As for the Clauſe left out in the third Article, it implied a freedom of paſſage and communication of Quarters, which is contrary to the nature of a Ceſſation, whereby matters ſhould be preſerved in the ſtate they are, and neither party have liberty ſo much to advantage himſelf, as it is evident your Majeſty might do, if your Forces in the North and Weſt might joyn with thoſe at Oxford, *and bring thoſe Supplies of Treaſure or Arms thither, which were brought out of* Holland, *or at leaſt it ſhould be ſo indifferent, as to give a proportionable advantage to the other ſide, which this doth not; For the Forces under the power of both Houſes are ſo diſpoſed, that they have an eaſie paſſage from one to the other: But your Majeſty's Forces are ſevered the one from the other by many large Counties, ſtrong paſſes, and competent Armies, and if they had admitted this clauſe, they had bereaved themſelves of one of the greateſt advantages, and freed your Majeſty's party of one of the greateſt inconveniencies which your Majeſty or they have in this War.*

For the Reaſons already alledged, They cannot agree to the Alterations and Enlargements of the Ceſſation propounded, or to transfer any ſuch power to the Committee of Treating, debating and agreeing upon thoſe Articles in any other manner than the Houſes have directed. But that a fair and ſpeedy paſſage may be opened to a ſecure and a happy Peace, They have enabled their Committees to treat and debate upon the two Propoſitions concerning his Majeſty's own Revenue, the delivery of his Towns, Caſtles, Magazines, and Ships, and the disbanding of the Armies, which being agreed upon, a preſent Peace and Security will follow, and the Treaty upon the other Propoſitions be facilitated without fear of interruption, by the confuſion of War, or exaſperation of either party, by the bloody effects thereof.

In which Treaty the two Houſes will deſire and expect nothing but what doth ſtand with your Majeſty's Honour, and the truſt repoſed in you, and is neceſſary for your Majeſty's good Subjects, that they may enjoy the true Religion, and their liberties and priviledges, and that they may freely and in a Parliamentary way concur with your Majeſty in thoſe things which may conduce to the glory of God, the ſafety and happineſs of your Majeſty, and your Poſterity and People, and preventing the like miſerable effuſion of Engliſh blood for the time to come; For the effecting whereof, their moſt earneſt Prayers, and uttermoſt Endeavours ſhall ever be faithfully and conſtantly employed, in hope that God will give a Bleſſing thereunto. Hen. Elſyng. Cler. Parl. D. Com.

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19 Caroli.

Additional Inſtructions concerning the Ceſſation, March 29.

IN caſe we ſhall obtain your Majeſty's aſſent to the Articles of Ceſſation, as they were laſt preſented to your Majeſty, within two days after the day of the receipt of the Reaſons this day preſented to your Majeſty from both Houſes, for their not aſſenting to thoſe Alterations and Additions to the Articles of Ceſſation offered by your Majeſty; We are authorized by our Inſtructions this day received, in the name of both Houſes of Parliament, to agree and conclude upon the Ceſſation, to continue to the end of 20 days, to be reckoned from the 25th of this inſtant *March*, and upon a day certain as ſoon as may be, when the ſame ſhall firſt begin and be of force; within which time, notice is to be given, as well by his Majeſty as by the Lords and Commons, to the ſeveral Generals, Commanders, and Soldiers reſpectively, to obſerve the ſame Ceſſation, as it is qualified and limited in thoſe Articles laſt preſented to your Majeſty.

John Holland *Northumberland.* *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

The King's Queſtion concerning removal of Quarters, March 31. 1643.

WHether by denying the Communication of Quarters, you intend to reſtrain the Quarters of either Army from each other; as that the Forces at *Abbington* may not remove to *Banbury*, or the Forces at *Henly* may not remove to *Aylesbury*, or to any other places within the Quarter of each Army reſpectively. *Falkland.*

The Committees Anſwer concerning removal of Quarters, March 31. 1643.

IN anſwer to your Majeſty's Queſtion upon the 3d Article of the Ceſſation; We humbly conceive, That it is not intended to reſtrain the quarters of their Army reſpectively from each other, ſo as they come not nearer the quarters of the other Army: But that the Forces at *Abbington* may remove to *Banbury*, or the Forces at *Henly* may remove to *Aylesbury*, or to any other place within the quarters of each Army reſpectively: So as the Forces of either Army reſpectively, come not nearer the quarters of the other Army, then they ſhall be upon the day agreed on for the Ceſſation to begin.

John Holland. *Northumberland.* *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

The King's Queſtions concerning the Ceſſation, March 31. 1643.

HIS Majeſty deſires to be reſolved by the Committee of Lords and Commons, Whether the Forces of *Oxford* may not as well go to *Reading*, as the Forces of *Henly* may to *Aylesbury*?

Whether his Majeſty's Forces belonging to the Army at *Oxford*, may not go to *Shrewsbury*, or any other place backwards from *London*, ſo that in their march they approach no nearer to any quarters of any of the contrary Armies, then ſome of his Majeſty's Forces ſhall quarter upon the day agreed upon for the Ceſſation to begin. *Falkland.*

The Committees Anſwer concerning the Ceſſation, March 31. 1643.

WE humbly conceive, That by our Inſtructions we are not enabled to give any Reſolution upon your Majeſty's Queſtions concerning the removal of Quarters, other then we have already given.

John Holland. *Northumberland.* *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

An. 1643.

A Letter from the Earl of Mancheſter, *April* 4.

My Lord,

I Am commanded by the Lords in Parliament, to ſend unto your Lordſhip theſe encloſed Votes, for the giving your Lordſhip and the Committee longer time to treat of the firſt Propoſitions. This is all I have in command, as *Your Lordſhips moſt humble Servant*, Mancheſter, *April* 2. Speaker of the Houſe *pro tempore.*

Votes of both Houſes for four days longer to Treat, *April* 4.

Die Lunæ, *Aprilis* 3. 1643.

Reſolv'd upon the Queſtion by the Lords and Commons in Parliament aſſembled,

THat further time ſhall be given to the Committee at *Oxon*, to treat upon the two firſt Propoſitions, *viz.* The firſt Propoſition of his Majeſties, and the firſt Propoſition of both Houſes.

Reſolved, &c.

THat the time preſcribed for the Treaty upon the two firſt Propoſitions, ſhall be until *Friday* next. *Reſolved, &c.*

That *Friday* in this laſt Queſtion, ſhall be taken incluſive.

Jo. Browne Cler. Parliamentorum

His Majeſty's Meſſage concerning the Ceſſation, *April* 4.

CHARLES R.

HOw *his Majeſty hath ſpent his time ſince the Committee from his two Houſes of Parliament came hither, how willing he hath been (during the four days allowed to them) to expedite the Treaty it ſelf, by the free and diligent diſquiſition of the particulars compriſed in thoſe two firſt Articles, and how intent he hath been upon the Ceſſation (which he thinks ſo neceſſary, and ſo much deſires) ſince the laſt Meſſage concerning the ſame came to him, the Committee themſelves cannot but obſerve; and though no concluſion could be made within the two days (a time limited with much ſtrictneſs in a buſineſs of ſo great moment, where all words and expreſſions muſt be carefully and exactly weighed) his Majeſty cannot doubt but both Houſes will be willing to give and receive ſatisfaction in any particulars which are neceſſarily to be conſidered in concluding the ſame, though the two days are expired. And if his Majeſty enlarges himſelf in his Replies more then may ſeem neceſſary to the Propoſitions and Differences in debate, it muſt be remembred by what unneceſſary and unwarrantable Expreſſions in this laſt Meſſage from his two Houſes; he is not only invited, but compelled thereunto, which he could heartily have wiſhed might upon this occaſion have been forborn.*

1. *For the freedom of Trade, his Majeſty hath great reaſon to require, and the two Houſes to admit that freedom to his good Subjects he deſired; For what concerns the ſupply of the Army with Arms, Ammunition, Money, Bullion, and Victuals, he conſented to the very terms propoſed by the two Houſes; and that they may be obſerved, is contented that Searches may be made, which being but the trouble of particular perſons, is not conſiderable, in reſpect of the publick benefit and advantage. But why all other liberty of Traffick and Commerce ſhould not be granted to his good Subjects, he cannot underſtand; for that his Majeſty's Army ſhould receive much advantage thereby, and the contrary Army none, is in no degree confeſſed: For (beſides, the reſtraint is to places where no part of his Majeſty's Army is, and indeed the whole Trade of the Kingdom interrupted) 'tis as great a ſupport (if not a greater) to the contrary Army, to maintain and keep up the Trade of* London, *from whence that receives its ſupply and relief, as to his Majeſty's Army, to continue the Trade at* Oxford, *or any other place where his Forces recide,*

19 Caroli.

reſide, and to ſtop and ſeize the Cloth, Kerſies, and other Weſtern Commodities (which his Majeſty can daily do from Reading) *would be as great diſturbance to the Trade of* London, *as the ſeizing of any Commodities (which may be done by the E. of* Eſſex *from* Windſor *at* Wickham) *can be to the Trade of* Oxford; *and therefore his Majeſty hath great reaſon to preſs that mutual and univerſal freedom to all his good Subjects may be granted; otherwiſe he muſt either permit that licence to his Army, to ſeize the Goods of his People in their paſſage to* London, *and to interrupt and break the Trade and Correſpondence of the Kingdom (which both out of publick conſideration and private compaſſion, his Majeſty is moſt adverſe from) or elſe muſt grant that evident benefit and advantage to thoſe who deny the ſame to him, and to his People for his ſake. And it cannot be denied, but this freedom is ſo very beneficial to his Subjects, and ſo wholly conſiderable to his Majeſty under that Notion, that their very ſubſiſtance depends upon it, and by this means Trade may be continued, which, if a little more ſuppreſſed by theſe diſtractions, will not be eaſily recovered, even by a ſettled Peace. His Majeſty believes that ſome Carriers have been robbed by his Majeſty's Soldiers; but 'tis as true that no complaint hath been made to him of that kind, which he hath not received to the relief and reparation of the Petitioners. And 'tis therefore his deſire that both Houſes would joyn with him (at leaſt during the Ceſſation) that there might be no more ſuch violences and interruptions offered to his good Subjects by either ſide.*

For the imbarquing the Merchants Goods in Forreign parts, his Majeſty denies that any Endeavour hath yet been made by his Miniſters of State to that purpoſe: But 'tis true, his Majeſty hath declared his Reſolution, which he ſhall purſue, that ſuch perſons who abſolve themſelves from their Obedience to him, and aſſiſt or conſent to actions of diſloyalty to him here, ſhall be deprived of thoſe advantages, and muſt not expect that protection from him abroad, which is due, and which he always hath and will allow to his good Subjects. And this is not to make other Princes Arbiters of the differences betwixt his Majeſty and his People, but to uſe the mutual amity and correſpondence with other Princes, for the maintainance and ſupport of that dignity for which it is made and entred into.

2. *His Majeſty did not demand the approving of the Commanders of Ships only, with reference to his preſent Right, for then he would have demanded, not the approbation of the Commanders, but the Ships themſelves. But this demand was and is a thing moſt neceſſary for his Majeſty, for the ſetting out the preſent Fleet, is pretended to be for the defence of his Majeſty's Dominions, and which cannot conveniently ſuffer any alteration in Commanders, if the Ceſſation and Peace ſhould be fully and ſpeedily agreed upon. And therefore 'tis moſt neceſſary for his Majeſty to know both the Deſigns, and to approve of the Commanders, who will not be ſo fit to be altered, when once they are ſent out.*

His Majeſty cannot ſee how a Ceſſation at Sea between his Majeſty and his Subjects, ſhould leave the Kingdom naked to forreign Forces (a continuance of War may well do it:) And his Majeſty is willing to concur in the reſiſtance of all ſuch, of what kind ſoever, and expects that during the Ceſſation, the conveying of all Forces from one part to another by Sea, for the Aſſiſtance of the Earl of Eſſex *be reſtrained, which both Houſes ſeem now to conſent to, which was not at all expreſſed in their former Articles.*

3. *His Majeſty's Opinion, How unfit it was to treat in Blood, ſufficiently appears, this debate concerning a Ceſſation, ariſing firſt from his Majeſty's motion (it being left out in the Anſwer to his Meſſage for a Treaty:) In order to which he had, and hath great reaſon to deſire, that the Committee may have liberty to debate and conclude any differences and expreſſions in the Ar-*

An. 1643.

ticles of the Ceſſation, that the ſame may be reconciled and removed, without remitting all Queſtions to London; *For as thoſe now conſented to, might in much leſs time have been agreed here, if there had been that liberty, ſo there can hardly be a right and clear underſtanding of Intentions, without expounding of words, and knowing the meaning from each other; as in the conſent which his Majeſty now underſtands to be given by both Houſes, that no Forces ſhall, during the Ceſſation, be ſent by Sea for the relief of any places now held by them, the expreſſion is not ſo clear, but referreth to Articles, in which if it was not compriſed before (as his Majeſty doth not conceive it was) no alteration is made, by what now ſeems to be conſented to, and the liberty which to all underſtandings may ſeem to be given, by removing out of one quarter to another, within the Precincts propoſed, is not yet ſo demonſtrable; the Committee having no power to Anſwer what they underſtand in that point which is moſt neceſſary to be known, that the Peace be not broken, during that Ceſſation; And his Majeſty wonders that it ſhould be thought unſafe or unfit to give ſuch a concluſive power of ſuch differences and doubts to the Committee here, when 'tis notoriouſly known, that the very liberty and property of the Subject is committed, not only to other Committees of the Houſes, without reporting to the Houſes, but to perſons who are employed by them, unintereſſed in, and unacquainted with the directions of either, or both Houſes.*

4. *It was no part of his Majeſty's intention, that his Article againſt impriſonment of his Subjects, otherwiſe then according to the known Laws of the Land, ſhould extend to the deſtruction of the Military Diſcipline of either Army; but this is a very ſufficient inſtance of the neceſſity of enabling ſome perſons to conclude upon theſe Articles, without which (through inanimadvertence or doubtfulneſs in the expreſſions) they who are neereſt of a mind, will hardly ever come to conclude, if every Punctilio muſt be forced to be ſent forward and backwards a hundred miles; And (if this authority had been given to the Committees here, as for ſuch Cauſes was deſired) a limitation of half a dozen words (which would have been as ſoon agreed to as propoſed) would have ſaved moſt of this fourth Reaſon. And he that deſires any thing neceſſary to the ſpeed of this Ceſſation, gives a good argument of deſiring the Ceſſation it ſelf; and whoever is averſe to the one, can hardly be thought inclinable to the other.*

But ſuch of his Subjects as are not concern'd in the diſcipline of the Army, are not concern'd in this Objection; and his Majeſty hath reaſon to inſiſt, that the ſame liberty may be reſtored to them, in which they were born, and the care and defence of which is ſo much and ſo meerly pretended by thoſe who deny it to them.

5. *Though it grieves his Majeſty to the ſoul, to ſee the preſent miſerable condition of his Subjects, groaning under ſo many viſible preſſures, becauſe of an inviſible neceſſity, and plundered and impriſoned to maintain ſuch a defenſive War, as was begun to be raiſed againſt him, before his Majeſty had granted one Commiſſion to raiſe a man; yet he cannot but be pleaſed with the ingenuity of this confeſſion, That the implicite Faith of his ſeduced Subjects begins to wear out ſo faſt, that the authority of declaring new, unknown fundamental Laws, doth not now ſo work with them as to believe that theſe Taxes are laid according to the Laws of God and Man, nor the many pretences of imminent dangers and inevitable ruine of their Religion, Laws and Liberties, perſwade them to believe this Cauſe to be the Cauſe of the Kingdom; But if their Cauſe, Authority and Eloquence were not aſſiſted by Force and Rapine, their Army muſt needs be diſſolved for want of being thought fit, much leſs neceſſary to be paid by thoſe who have equal right to judge of the neceſſity and danger, and for whoſe ſakes, intereſts and concernments only it was*

pretended

19 Caroli.

pretendcd to be raiſed, and who are defended by it againſt their wills; Nor is it ſtrange that his Majeſty cannot receive theſe Charges upon him, as a reaſon to make him contented and acquieſce with theſe injuries to his Subjects; Or that they who ſaw his Majeſty's condition the laſt year (till continued violence againſt him, opened the eyes and hearts of his Subjects to his aſſiſtance) ſhould not believe that he began that War, which they ſaw him ſo unlikely to reſiſt; Or that they, who could never find, nor hear from them (who uſe not too modeſtly to conceal what is for their advantage) that from the beginning of the World to this preſent Parliament, ever one man was raiſed before by Commiſſion from both Houſes, ſhould not believe the raiſing of that their Army to be ſo warranted as is pretended, and any more approve of their Law, then of their Neceſſity; Or that they who know that his Majeſty (in whom the power of making War and Peace was never denied to be, till theſe new Doctrines, which make it unlawful for him to do any thing, and lawful to do any thing againſt him, were of late diſcovered) though he can legally raiſe an Army, is not allowed to be legally able to raiſe Money to maintain it, will not allow of the Argument, from the power of Raiſing, to the power of Taxing, and are as little ſatisfied with their Logick, as with their Law, and extreamly troubled to pay an Army they do not deſire, for a neceſſity they cannot ſee, by a Law they never heard of; And that other men, without their conſent, muſt be jealous, fearful and quick-ſighted at their Charges, and they have great reaſon to be apt to ſuſpect that theſe made moſt haſte to make a War, and have leaſt deſire of making Peace, who in time of War pretend their legal power to be ſo vaſtly inlarged; his Majeſty therefore hath great reaſon to inſiſt, that no violence or plundering be offered to his Subjects for not ſubmitting to the illegal Taxes of one or both Houſes, which in it ſelf is equal; his Majeſty being willing to be obliged from the like courſe, and relying wholly upon the known juſtice of his Cauſe, and the affection of his People, and in which (if the Kingdom be of their mind, and believe the Cauſe of the contrary Army to be really their own) the advantage will be wholly theirs, and this Judgment will be beſt given, when the People is left to their liberty in this deciſion.

His Majeſty's real deſire of Disbanding the Armies, may fully appear by his often ſeeking, and earneſt endeavours to continue and conclude this Treaty in order to that disbanding.

6. *His Majeſty leaves their Preamble to all the World to conſider and to judge, Whether any man by their ſaying they were ready to agree to his Majeſty's Articles, in the manner as was expreſt, would not have expected to have found after that expreſſion, that they had agreed at leaſt to ſome one thing material in them, and had not only meant by agreeing as was expreſt, to expreſs they would not agree at all.*

For the Clauſe of communication of Quarters ſo quietly left out, his Majeſty looks upon it as of moſt infinite importance, the leaving out of that having diſcompoſed the whole, many things having in the reſt been aſſented to, which were therefore only yielded, becauſe the Inconveniencies growing by theſe Clauſes, if they were alone, were ſalved by that addition; and ſome things in the other very dark and doubtful, were by that interpreted and cleared. And his Majeſty is ſufficiently informed how highly it concerns him, that every thing be ſo clear, that after no differences may ariſe upon any diſputable point, ſince they whoſe union, induſtry, ſubtilty and malice could perſwade any of his People, that in the buſineſs of Brainford *he had broken a Ceſſation before any was made or offered, would have a much eaſier work to lay the breach of a made Ceſſation to his Majeſty's Charge, if the ground of that Breach would bear the leaſt diſpute.*

His Majeſty doth agree, That to preſerve things in the ſame ſtate on both ſides,

An. 1643.

ſides, with as little advantage or diſadvantage to either, as the matter will poſſibly bear, is truly the nature of a Ceſſation, and is willing this Principle ſhould be made the Rule, and never intended any thing that ſhould contradict it; but who cannot ſee the inequality in this which is pretended; for could Sir Ralph Hopton, *and the Earl of* Newcaſtle, *come by this means to the King, and could not to the E. of* Stamford, *and Lord* Fairfax *to the Earl of* Eſſex? *Nor can his Majeſty find any ſtrong Paſſes or Forces to hinder his Armies from joyning with him, then hinders theirs from joyning with them. If the Forces be unequal, theirs will hardly hinder the paſſage of his without a Ceſſation; if they be equal, their coming in time of Ceſſation will be of equal uſe and advantage to their ſide, ſomewhat in point of Supplies to come with them excepted; and ſome advantage to one ſide will be, poize it how you will. But on the other ſide, if this Clauſe be not in, how much greater is the diſadvantage the other way by ſome Clauſes? And how are his Forces (principally the Earl of* Newcaſtles) *cooped up in old and eaten up Quarters, or neceſſitated to retire to ſuch as are more barren and more eaten; So that if this were yielded to, under the diſguiſe of a Ceſſation, he muſt admit that which will much endanger the diſſolving of the Army, and deſtruction of the Cauſe, which is ſuch a diſadvantage, as is againſt the nature of a Ceſſation formerly agreed and ſtated.*

Notwithſtanding all this, his Majeſty to ſhew his extraordinary and abundant deſire of Peace, and to prevent the effuſion of blood, is contented, if both Houſes ſhall refuſe to conſent to his Propoſitions, which are ſo much for the benefit and advancement of the publick Trade, and advantage of his good Subjects, to admit a Ceſſation upon the matter of their own Articles (excepting that liberty be given to the Committee to word it, according to the real meaning and intention; And that the remove of Quarters within their own bounds, which is intended, may be ſo expreſt and underſtood, that no miſtakes may ariſe.) So that his Majeſty may not be underſtood to conſent to any impoſing upon, levying, diſtraining, or impriſoning his good Subjects to force them to contribute, or aſſiſt againſt him (which he ſhall always continue to inhibit, Requiring all men to reſiſt thoſe illegal acts of injuſtice and violence, againſt which he doth abſolutely proteſt;) And ſo that there may not be a liberty for any rapine, plundering, or ſeizing upon his Subjects, by any of the Soldiers of that Army, for not ſubmitting to ſuch illegal impoſitions as aforeſaid; for otherwiſe, they may during this Ceſſation (beſides what is already impoſed) impoſe new Taxes not only to the Nineteenth part, but if they pleaſe (for their pleaſure is all their bound) to the half of, or all their Eſtates upon his good Subjects in his City of London, *and all Counties within their reach; and their Army would then be at leiſure to be employed as Collectors as well of the old Impoſitions, (which in moſt places without their Army they cannot levy) as of any ſuch new one, and vaſt ſums would and might by this means be raiſed to the deſtruction of his Subjects, extraordinary advantage to them, and great diſadvantage to his Majeſty; who can neither obtain his own conſent to take the like courſes, nor in caſe he could, is he ſo quartered as to have within the power of his Army, without breach of the Ceſſation, by drawing nearer to their Forces, any ſuch City, or ſo many, ſo rich, and ſo freſh Counties, as they have to retire into to that purpoſe. So that as nothing is more juſt in it ſelf, and for his People, then ſuch a limitation, ſo nothing can be more unequal to his Majeſty, or more advantagious to them, then the admiſſion of, or connivance at any ſuch practiſes upon his People. This Ceſſation to begin* April 9. *and to continue to the end of* 20 *days from the* 25*th of* March. *And his Majeſty deſires that the Treaty may proceed upon the Propoſitions in order, upon which his Majeſty hath an earneſt deſire, that a firm and ſtable Peace may be agreed on, and both Armies ſpeedily*

19 Caroli.

dily disbanded; otherwise if during this Cessation (in the Articles of which his Majesty in order to peace, hath yielded to things manifestly unreasonable and prejudicial to his Army) the Treaty be not dispatched, his Majesty cannot without manifest ruine to his Army (principally that of the North) be able to contain himself beyond this time now limited for the Cessation, in the Quarters in which he hath so long been, and now is, and which will hardly be able to hold out so long, but must be forced to remove, as he shall find agreeable for his occasions.

And in case any delay be made in consenting to these his Majesty's limitations, or that the Houses shall reject this his offer of Cessation, his Majesty, as he hath lately desired (by a Proposition to both Houses, delivered to their Committee, to which he hath yet received no answer) so he doth earnestly continue to desire, That the Treaty it self may not be delayed or interrupted by it, but that their Committee may be enabled to proceed upon it in the mean while.

Copia vera. John Browne, Cleric. Parliament.

Addition of four days longer to Treat, April 4. 1643.

WE humbly acquaint your Majesty, That we received this morning the Resolution of both Houses of Parliament, whereby farther time is given to us to treat upon the two first Propositions, *viz.* The first Proposition of your Majesty, and the first Proposition of both Houses. And that the time prescribed for the Treaty upon the two first Propositions, shall be until *Friday* night.

John Holland. *Northumberland.* *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

A Letter from both Houses, Received *April* 8. 1643.

WE are commanded to send these inclosed Instructions to you from both Houses of Parliament, by which the Resolutions of the Houses will appear unto you. This is all we have in command, and rest,

Your humble Servants,

Westm. Apr. 7. 1643. *Manchester*, Speaker *pro tempore.*
William Lenthall Speaker of the Commons House.

Instructions concerning the Cessation. Received *April* 8. 1643.

A farther Addition of Instructions agreed upon by the Lords and Commons in Parliament for Algernon *Earl of* Northumberland, William Pierrepoint *Esquire*, *Sir* William Armine *Baronet*, *Sir* John Holland *Baronet*, *and* Bulstrode Whitlock *Esquire*, *Committees of both Houses of Parliament, attending his Majesty at* Oxon.

YOu are hereby to take notice, That the two Houses have considered his Majesty's Answer to their Reasons concerning the Cessation, wherein there are divers expressions which reflect much upon the Honour and Justice of the Houses, and might occasion particular Replies; yet at this time they desire to decline all contestation, their wishes and endeavours being earnestly bent upon the obtaining a speedy Peace; for which cause they do not think good to consume any more of that time allowed for the Treaty, in any farther Debates upon the Cessation; concerning which, they find his Majesty's expressions so doubtful, that it cannot be suddenly or easily resolved; and the remainder of the time for the whole Treaty being but seven days, if the Cessation were presently agreed, it would not yield any considerable advantage to the Kingdom. Wherefore you

An. 1643.

you ſhall deſire his Majeſty, That he will be pleaſed to give a ſpeedy and poſitive Anſwer to their firſt Propoſition concerning the disbanding, that ſo the people may not have only a ſhadow of Peace in a ſhort time of Ceſſation, but the ſubſtance of it in ſuch manner as may be a perpetual bleſſing to them, by freeing the Kingdom from thoſe miſerable effects of war, the effuſion of *Engliſh* blood, and deſolation of many parts of the Land.

For the obtaining of which happineſs, the Lords and Commons have reſolved to enlarge your power, That if you ſhall not have fully agreed upon the two firſt Propoſitions before *Friday* night; you may notwithſtanding any former reſtraint, proceed to treat upon them according to the Inſtructions formerly given you, although the Articles of the Ceſſation are not agreed upon.

And thoſe two firſt Propoſitions being concluded, the two Houſes will thereupon give you further Inſtructions to proceed to the other Propoſitions, that ſo the whole Treaty may be determined within the twenty days formerly limited, to be reckoned from the 25th of *March* laſt, which can admit no alteration or enlargement, without manifold prejudice and danger to the whole Kingdom.

John Browne Cler. Parl.

CHARLES R.

The King's Reply touching Ceſſation; and his deſire to enable the Committee to treat upon the Propoſitions in the meantime: And touching his coming to the Parliament.

IF the Committee, according to his Majeſty's deſire, had had but power to agree in the wording of expreſſions in the Articles of Ceſſation, his Majeſty's (which are as clear as the matter would bear, and as he could make them) had not appeared ſo doubtful to any, but that the Ceſſation might have been ſuddenly and ſpeedily reſolved, and that long before this time. And if the expreſſions of both Houſes in their Reaſons had not neceſſitated his Majeſty in his own defence, to give ſuch Anſwers as could not upon thoſe Points deliver Truth without ſome ſhew of ſharpneſs, no expreſſion of that kind in his Majeſty's Anſwer had given any pretence for the rejection of, or refuſing ſo much as to treat upon this Ceſſation, which (though it were at preſent for no long time) yet was from the day named by themſelves the 25th of March; *whereas his Majeſty firſt mov'd for a Ceſſation and Treaty without any limitation at all in the time of either, and his Majeſty was moſt ready to have inlarged the time (ſo that in the mean while the point of Quarters might be ſo ſettled, as that his Armies might ſubſiſt) and which might have been (if they had pleas'd) a very good and promiſing earneſt and fore-runner of that great bleſſing of Peace; for the obtaining of which, the wiſhes and endeavours of all good men being earneſtly bent, and a farther debate in order to ſo great a benefit, did not deſerve to be ſtiled a Conſumption of time. And his Majeſty cannot but conceive himſelf to be in a ſtrange condition, if the doubtfulneſs of expreſſions (which muſt always be whilſt the Treaty is at ſuch a diſtance, and power is denied to thoſe upon the place to help to clear and explain) or his neceſſary Replying to Charges laid upon him (that he might not ſeem to acknowledge what was ſo charged) or the limitation of the time of ſeven days for the Treaty (which was not limited by his Majeſty, who ever deſired to have avoided that and other limitations which have given great interruptions to it) ſhould be as well believed to be the grounds, as they are made the Arguments of the Rejection of that, which (next to Peace it ſelf) his Majeſty above all things moſt deſires to ſee agreed and ſettled, and which his Majeſty hopes (if it may be yet agreed on) will give his People ſuch a taſte of ſuch a bleſſing, that after a ſhort time of conſideration, and comparing of their ſeveral conditions in War and Peace, and what ſhould move them to ſuffer ſo much by a change, they will not think thoſe their Friends that ſhall force them to it, or be themſelves ready to contribute to the renewing*

19 Caroli.

newing of their former miſeries, without ſome greater evidence of neceſſity then can appear to them, when they ſhall have ſeen (as they ſhall ſee, if this Treaty be ſuffered to proceed) that his Majeſty neither asks nor denies any thing, but what not only according to Law he may, but what in honour and care of his People he is oblig'd to ask or deny. And this alone (which a very ſhort Ceſſation would produce) his Majeſty eſteems a very conſiderable advantage to the Kingdom; and therefore cannot but preſs again and again, that whatever is thought doubtful in the expreſſions of the Articles, may (as in an hour it may well be done) be expounded; and whatſoever is excepted at, may be debated and concluded, and that power and inſtructions may be given to the Committee to that end, That the miſerable effects of War, the effuſion of Engliſh *blood, and deſolation of* England *(until they can be totally taken away) may by this means be ſtayed and interrupted.*

His Majeſty ſuppoſes, that when the Committee was laſt required to deſire his Majeſty to give a ſpeedy and poſitive Anſwer to the firſt Propoſition concerning disbanding, his Anſwers in that Point (to which no Reply hath been made, and which he hopes by this time have given ſatisfaction) were not tranſmitted and received: But wonders the Houſes ſhould preſs his Majeſty for a ſpeedy and poſitive Anſwer to the firſt part of their firſt Propoſition concerning disbanding, when to the ſecond part of the very ſame Propoſition concerning his return to both Houſes of Parliament, they had not given any power or inſtructions to the Committee, ſo much as to treat with his Majeſty. And when his Majeſty (if his deſire of Peace, and of ſpeeding the Treaty in order to that, had not been prevalent with him) might with all manner of Juſtice have delayed to begin to treat upon the other; in which point, and for want of which power from them, the only ſtop now remains: His Majeſty's Anſwers to both parts of their firſt Propoſition being given in, tranſmitted, and yet remaining unanſwered.

To which, until the Houſes ſhall be at leiſure to make anſwer (that as little delay in this Treaty, as is poſſible, may be cauſed by it) his Majeſty deſires likewiſe, That the Committee may be enabled to treat upon the following Propoſitions in their ſeveral Orders.

A Letter from both Houſes, *April* 8.

WE have ſent unto you by this Gentlemen, Sir Peter Killegrew, *ſome additional Inſtructions, by which your Lordſhip and the reſt of the Committee will perceive the Reſolutions which the Houſes have taken, upon the Papers which they received this day from you. This is all we have in command, and remain,*

Your Lordſhips humble Servants,

Weſtm. Apr. 8. 1643. *Mancheſter*, Speaker of the Houſe of Peers *pro tempore*.
W. Lenthall, Speaker of the Commons Houſe in Parl.

Inſtructions concerning the Inſiſting, Received *April* 9. 1643.

Additional Inſtructions for Algernon *Earl of* Northumberland, William *Lord Viſcount* Say *and* Seal, William Pierrepoint *Eſq*; *Sir* William Armyne, *and Sir* John Holland *Baronets*, Bulſtrode Whitlock *Eſquire, Committees from both Houſes, attending his Majeſty at* Oxford.

Magazines, and inlarging the time.

THE two Houſes of Parliament are unſatisfied with his Majeſty's Anſwer to that Clauſe of the firſt Propoſition which concerns the Magazines. Wherefore you are to deſire his Majeſty to make a further

An. 1643.

Anſwer in ſuch manner as is expreſt in the Inſtructions formerly given you: And you ſhall let his Majeſty know, That the Lords and Commons do not think fit to enlarge the time of the Treaty, beyond the twenty days formerly limited.

Cinque-Ports, Towns, Forts, and Caſtles.

THey likewiſe remain unſatisfied with his Majeſty's Anſwer concerning the Cinque-Ports, Towns, Forts and Caſtles, being in the moſt material points an expreſs denial: Wherefore you are to inſiſt upon their deſire for another Anſwer according to your Inſtructions.

Ships.

THey obſerve in his Majeſty's Anſwer concerning the Ships, *not only* a denial to all the deſires of both Houſes; but likewiſe a Cenſure upon their Proceedings. However, you are to inſiſt upon their deſires expreſſed in your Inſtructions.

Disbanding.

THey further conceive, That his Majeſty's Anſwer to their firſt Propoſition concerning the Disbanding, is in effect a denial, unleſs they deſert all thoſe Cautions and Limitations which they have deſired in their Anſwer to his Majeſty's firſt Propoſition. Wherefore you are to proceed, inſiſting upon that part of their firſt Propoſition concerning the Disbanding, according to your Inſtructions.

KING's Return to the Parliament.

YOU ſhall declare to his Majeſty the deſire of both Houſes of his Majeſty's coming to his Parliament, which they have often expreſt with as full offers of Security to his Royal Perſon, as was agreeable to their Duty and Allegiance; and they know no cauſe why his Majeſty may not repair hither with honour and ſafety, but they did not inſert it into your Inſtructions, becauſe they conceived the disbanding of the Armies, would have facilitated his Majeſty's Reſolution therein, which they likewiſe conceived was agreeable to his Majeſty's Senſe, who in declaring his Conſent to the Order of the Treaty, did only mention that part of the firſt Propoſition which concerned the disbanding, and did omit that which concerned his coming to the Parliament.

Oath of Officers.

THey conceive the ordinary Oaths of the Officers mentioned, are not ſufficient to ſecure them againſt the extraordinary cauſes of Jealouſie which have been given them in theſe troubleſom times; and that his Majeſty's Anſwer lays ſome tax upon the Parliament, as if defective, and thereby uncapable of making ſuch a proviſional Law for an Oath. Therefore you ſhall ſtill inſiſt upon their former deſires of ſuch an Oath as is mentioned in your Inſtructions.

If you ſhall not have received his Majeſty's poſitive Anſwer to the humble deſire of both Houſes in theſe two firſt Propoſitions, according as they are expreſt in your Inſtructions, before the twenty days limited for the Treaty ſhall be expired; you ſhall then with convenient ſpeed repair to the Parliament, without expecting any further direction.

Joh. Browne Cler. Parliamentorum.

His Majeſty's Queſtions before the Treaty, and the Committees Anſwers, *March* 25. 1643.

His Majeſty deſires to be anſwered theſe Queſtions in writing, by the Committee of both Houſes.

1. WHether they may not ſhew unto him thoſe Inſtructions (according to which they are to treat and debate with his Majeſty upon the two firſt Propoſitions) of which the laſt Meſſage from both Houſes takes notice, and refers unto?

2. Whe-

2. Whether they have power to paſs from one Propoſition to the other in the Debate, before his Majeſty have expreſt his mind concerning the Propoſition firſt entred into?

3. Whether they have power to give an entire Anſwer to his Majeſty's firſt Propoſition, before his Majeſty's Reply to any part thereof, or to paſs from any part of that Propoſition to another part of the ſame, before his Majeſty hath given a Reply concerning that part?

4. Whether in caſe his Majeſty's Anſwer or Reply to any part of either Propoſition do not ſatisfie them, they have power to ſend up that his Anſwer or Reply to both Houſes, and proceed upon the Debate of another part of the ſame?

5. Whether they have power to conclude theſe two Propoſitions?

6. Whether they have power to preſs or conſent unto the execution of either of theſe two Propoſitions, or any part of them, till the whole Treaty be agreed upon? *Falkland.*

The Committee of Lords and Commons appointed to attend his Majeſty upon the Treaty, do humbly return theſe Anſwers to the Queſtions propounded by his Majeſty. March 25. 1643.

The Papers concerning leave to repair to his Majeſty.

To the firſt. THey are enjoyned not to ſhew or diſcover their Inſtructions, or to give any Copy of them.

To the 2d. Concerning his Majeſty's firſt Propoſition, and the firſt Propoſition of both Houſes of Parliament, they humbly conceive they may paſs from the one Propoſition to the other, after that his Majeſty hath given his Anſwer to the particular part of either Propoſition that ſhall be in debate.

To the third. They humbly conceive, That they are to receive his Majeſty's Reply to that part of the Propoſition to which they give their Anſwer, before they proceed to any other part of either Propoſition.

To the fourth. They humbly conceive, That when they have received his Majeſty's Anſwer or Reply to any part of either Propoſition, wherein they are not ſatisfied, they are to ſend that his Majeſty's Anſwer or Reply to both Houſes, and in the mean time may proceed to another part of either Propoſition.

To the fifth. They humbly conceive they may conclude theſe two Propoſitions if they be agreed unto according to their Inſtructions.

To the ſixth. They humbly conceive they may preſs and conſent unto the execution of the two Propoſitions, according to their Inſtructions, before the whole Treaty be agreed upon.

J. Holland. *Northumberland.* *W. Pierrepoint.*
B. Whitlock. *W. Armyn.*

March 27. 1643.

WHereas we humbly preſented to your Majeſty ſeveral Anſwers to your Majeſty's demands in your firſt Propoſition, and in Reply to thoſe Anſwers, we have received ſeveral Papers from your Majeſty. Our humble deſires are that your Majeſty would be pleaſed to give us leave to repair unto you, for our further ſatisfaction upon any doubts which ſhall ariſe amongſt us in thoſe Papers we have already received, or any other which we ſhall hereafter receive from your Majeſty, before ſuch time as we ſhall tranſmit them to both Houſes of Parliament.

John Holland. *Northumberland.* *W. Pierrepoint.*
B. Whitlock. *W. Armyn.*

March 28. 1643.

HIS Majeſty is well pleaſed, That the Committee of both Houſes repair unto him for their further ſatisfaction upon any doubts which

An. 1643.

ſhall ariſe amongſt them, in the Papers they have already received, or any other which they ſhall hereafter receive from his Majeſty, and to which they ſhall not have acquieſced, before they tranſmit them to both Houſes of Parliament. *Falkland.*

March 26. 1643.

To that part of your Majeſty's firſt Propoſition concerning your Majeſty's own Revenue, we give this Anſwer.

The Papers concerning the Revenue.

THE two Houſes of Parliament have not made uſe of your Majeſty's own Revenue, but in a very ſmall Proportion, which for a good part hath been imployed in the maintainance of your Majeſty's Children, according to the allowance eſtabliſhed by your ſelf. And the two Houſes of Parliament will ſatisfie what ſhall remain due to your Majeſty of thoſe Sums received out of your Majeſty's own Revenue. And will leave the ſame to your Majeſty for the time to come.

We likewiſe humbly propoſe to your Majeſty, That you will reſtore what hath been taken for your Majeſty's uſe, upon any of the Bills aſſigned to other purpoſes, by ſeveral Acts of Parliament, or out of the Proviſion made for the War of *Ireland.*

Will. Pierrepoint. *Northumberland.* *Will. Armyn.*
John Holland. *B. Whitlock.*

March 26. 1643.

HIS Majeſty knows not what Proportion of his Revenue hath been made uſe of by his two Houſes of Parliament, but he hath reaſon to believe that if much of it hath not been uſed, very much remains ſtill in their hands, his whole Revenue being ſo ſeiz'd and ſtop'd by the Orders of one or both Houſes, even to the taking away of his money out of his *Exchequer* and *Mint*, and Bonds (forced from his Cofferers Clerks) for the Proviſion of his Majeſty's Houſhold, that very little hath come to his Majeſty's uſe for his own ſupport. He is well contented to allow whatſoever hath been imployed in the maintainance of his Children, and to receive the Arrears due to himſelf, and to be ſure of his own for the future.

He is likewiſe willing to reſtore all moneys taken for his Majeſty's uſe by any Authority from him, upon any Bills aſſigned to other purpoſes; his Majeſty being aſſured he hath received very little or nothing that way, and expects that ſatisfaction be made for all thoſe ſeveral vaſt Sums received and diverted to other purpoſes, by Orders of one or both Houſes, which ought to have been paid upon the Act of Pacification to his Subjects of *Scotland*, or imployed for the diſcharge of the Debts of this Kingdom, and by other Acts of Parliament for the Relief of his poor Proteſtant Subjects of *Ireland*, *Falkland.*

March 27. 1643.

HIS Majeſty deſires to be reſolved by the Committee from both Houſes, whether their Propoſition to his Majeſty to reſtore what hath been taken for his Majeſty's uſe upon any of the Bills, *&c.* be a new Demand, or a Condition upon which only that is granted which goes before? *Falkland.*

March 27. 1643.

WHereas your Majeſty deſired to be reſolved by us, whether the Propoſition to your Majeſty to reſtore what hath been taken for your Majeſty's uſe upon any of the Bills, *&c.* be a new Demand, or a Condition upon which only that is granted which goes before.

We humbly conceive it to be no new Demand, but whether it be ſuch a Condition upon which only that which goes before is granted, we are not able to reſolve. *Northumberland.*

W. Pierrepoint. W. Armyn. John Holland. B. Whitlock.

March

March 27. 1643.

Whereas we have received your Majeſty's Anſwer of the 26th of this Inſtant to ours of the ſame date, concerning your Majeſty's own Revenue,

WE humbly deſire to know of your Majeſty, if you will not accompt your own Revenue to be ſure for the future, if both Houſes of Parliament do leave it in the ſame way as it was before theſe troubles did begin.

W. Pierrepoint. *Northumberland.* *J. Holland.*
W. Armyn. *B. Whitlock.*

March 27. 1643.

HIS Majeſty did intend in his former Anſwer by thoſe words (of being ſure of his own for the future) that no reſtraints or interruption ſhould be made by one or both Houſes in and upon his Majeſty's Revenue, but that it ſhould be left in the ſame way it was before theſe troubles did begin. *Falkland.*

March 28. 1643.

WE ſhall tranſmit your Majeſty's Anſwer to that part of your Propoſition concerning your Revenue, to both Houſes of Parliament, without farther Reply.

W. Pierrepont. *Northumberland.* *B. Whitlock.*
J. Holland. *W. Armyn.*

March 26. 1643.

To this part of your Majeſty's firſt Propoſition concerning your Magazines, we humbly give this Anſwer;

The Papers concerning the Magazines

THat all the Arms and Ammunition taken out of your Majeſty's Magazines, which ſhall remain in the hands of both Houſes of Parliament, ſhall be delivered into your Stores, and whatſoever ſhall be wanting, they will in convenient time ſupply in kind, according to the Proportions which they have received. We likewiſe humbly propoſe unto your Majeſty, That the perſons to whoſe Charge thoſe publick Magazines ſhall be committed, being nominated by your Majeſty, may be ſuch as the two Houſes of Parliament ſhall confide in. And that your Majeſty will reſtore all ſuch Arms and Ammunition as have been taken for your Majeſty's uſe from the ſeveral Counties, Cities and Towns.

W. Pierrepoint. *Northumberland.* *Jo. Holland.*
W. Armyn. *B. Whitlock.*

March 27. 1643.

HIS Majeſty is content that all the Arms and Ammunition taken out of his Magazines, which do now remain in the hands of both Houſes, or of Perſons imployed by them, be forthwith delivered into ſuch of his Stores as his Majeſty ſhall appoint, and that whatſoever ſhall be wanting of the Proportions taken out from thence by them, be ſupplied by them with all convenient ſpeed in kind. Which ſhall be committed to, and continued in the cuſtody of the ſworn Officers, to whoſe places the ſame belong. And if any of the ſaid Officers ſhall have forfeited, or ſhall forfeit that truſt by any miſdemeanours, his Majeſty will by no means defend them from the Juſtice of the Law.

For the reſtoring all ſuch Arms and Ammunition as have been taken for his Majeſty's uſe from the ſeveral Counties, Cities and Towns his Majeſty being compelled to take them, his own being taken from him, did it always with this caution and promiſe to the places from whence he took them, that he would, by the bleſſing of God, reſtore them again, and make recompence out of his own Stores, as ſoon as it ſhould be in his power; which promiſe he will make good to them, expecting that ſuch Arms and Ammunition as have been taken from the ſeveral Counties, Cities and Towns, for the uſe of the Armies under the Command of the E. of *Eſſex*, be likewiſe reſtored to them. *Falkland.* March

An. 1643.

March 28. 1643.

Whereas we have receiv'd your Majeſty's anſwer of the 27. of this month, to ours of the 26. of this Inſtant, concerning your Majeſty's Magazines.

WE humbly deſire to know of your Majeſty what time you intend, by the expreſſion in the words (*be forthwith delivered.*)

We likewiſe humbly deſire to know in what places your Majeſty would have your Stores, and who are your ſworn Officers your Majeſty intends, that according to our Inſtructions we may tranſmit their Names to both Houſes of Parliament.

Will. Pierrepoint. *Northumberland.* *John Holland.*
Will. Armyne. *B. Whitlock.*

March 28. 1643.

HIS Majeſty intended by that Expreſſion (*be forthwith delivered*) as ſoon as the Treaty ſhall be concluded, and agreed on. *Falkland.*

March 29. 1643.

THE place of Store into which his Majeſty is content that the Arms and Ammunition, taken out of his Magazines, be delivered, is his *Tower* of *London*; and the Officers he intends, are ſuch as by Patent ought to receive and keep the ſame. *Falkland.*

March 29. 1643. *Concerning the Magazines.*

WE humbly deſire, according to our Inſtructions, that the perſons to whoſe charge the publick Magazines ſhould be committed, being nominated by your Majeſty, ſhould be ſuch as the Lords and Commons ſhould confide in.

We, not knowing whether the two Houſes will confide in the perſons your Majeſty mentions, muſt tranſmit their Names to both Houſes of Parliament to receive their farther Inſtructions.

Will. Pierrepoint. *Northumberland.* *John Holland.*
Will. Armyne. *B. Whitlock.*

April 5. 1643.

HIS Majeſty conceives his Anſwer concerning the perſons to whoſe cuſtody his Magazines ſhall be committed, to be very clear and ſufficient, and ſhall forbear any more particular nomination of them, the two Houſes well knowing whether they have any juſt exceptions to make againſt any of them, which if they have, his Majeſty will leave them to the due courſe of Juſtice. *Falkland.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to deſire your Majeſty to make a further anſwer to that Clauſe of the firſt Propoſition which concerns the Magazines; and we are humbly to acquaint your Majeſty, that the two Houſes of Parliament do not think fit to enlarge the time of the Treaty beyond the 20 days, formerly limited, to be reckoned from the 25th of *March* laſt, which can admit no alteration or enlargement without manifold prejudice and danger to the whole Kingdom.

Will. Pierrepoint. *Northumberland.* *Will. Armyne.*
John Holland. *B. Whitlock.*

April 14. 1643.

HIS Majeſty having made ſeveral Anſwers to that Clauſe of the firſt Propoſition, which concerns the Magazines, knows not what Anſwer to make further, except he were informed what part of the Propoſitions made to him was not clearly anſwered, or had reaſons given him to change and alter the Anſwer already made; neither of which is yet done. And he is very ſorry that both Houſes of Parliament have not thought fit to enlarge the power of the Committee, (whereby leſs time would

would have ſerved for the Treaty) and are ſo abſolutely reſolved not to enlarge the time of the Treaty beyond the twenty days which (by Meſſages and attending the Inſtructions of the Houſe) are ſo near ſpent (notwithſtanding all poſſible readineſs in his Majeſty) and which in truth might have ended all the Propoſitions, if ſufficient Authority had been given to the perſons imloyed to debate and conclude: neither can his Majeſty underſtand why an Alteration or Inlargement, in the point of time, cannot be admitted without manifold prejudice and danger to the whole Kingdom. He prays to God, that an averſneſs to ſuch an alteration and inlargement, may not prove an unſpeakable prejudice and danger to the whole Kingdom. *Falkland.*

March 27. 1643.

To that part of your Majeſty's firſt Propoſition, which concerns your Majeſty's Towns and Forts, we humbly give this Anſwer.

The Papers concerning the Towns, Forts, Cinque-Ports, &c.

THat the two Houſes of Parliament will remove the Garriſons out of all Towns and Forts in their hands, wherein there were no Garriſons before theſe troubles, and ſlight all Fortifications made ſince that time, and thoſe Towns and Forts to continue in the ſame condition they were in before, and that thoſe Garriſons ſhall not be renewed, nor the Fortifications repaired, without conſent of your Majeſty and both Houſes of Parliament.

That for thoſe Towns and Forts which are within the Juriſdiction of the Cinque-Ports, they ſhall be delivered up into the hands of ſuch a Noble Perſon as your Majeſty ſhall appoint to be Warden of the Cinque-Ports, being ſuch a one as they ſhall confide in.

That the Town of *Portſmouth* ſhall be reduced to the number of the Garriſon as was at the time, when the Lords and Commons undertook the cuſtody thereof; and ſuch other Forts, Caſtles and Towns as were formerly kept by Garriſons, and have been taken by both Houſes of Parliament into their care and cuſtody, ſince the beginning of theſe Troubles, ſhall be reduced to ſuch proportion of Garriſon as they had in the year 1636. and ſhall be ſo continued. And that all the ſaid Towns, Forts and Caſtles ſhall be delivered up into the hands of ſuch Perſons of Quality and Truſt, to be likewiſe nominated by your Majeſty, as the two Houſes of Parliament ſhall confide in.

That the Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Caſtles and Forts, ſhall keep the ſame Towns, Caſtles and Forts reſpectively for the Service of your Majeſty, and the ſafety of the Kingdom; and that they ſhall not admit into any of them any Forreign Forces, or any other Forces raiſed without your Majeſty's Authority, and Conſent of the two Houſes of Parliament; and they ſhall uſe their utmoſt endeavours to ſuppreſs all Forces whatſoever, raiſed without ſuch Authority and Conſent; and they ſhall ſeize all Arms and Ammunition provided for any ſuch Forces.

They likewiſe humbly propoſe to your Majeſty, that you would remove the Garriſons out of *Newcaſtle*, and all other Towns, Caſtles and Forts, where any Garriſons have been placed by your Majeſty ſince theſe Troubles, and that the Fortifications be likewiſe ſlighted, and the Towns and Forts left in ſuch ſtate and condition as they were in, in the year 1636.

That all the other Towns, Forts and Caſtles, where there have been formerly Garriſons before theſe Troubles, may be committed to the charge of ſuch perſons to be nominated by your Majeſty, as both Houſes of Parliament ſhall confide in, and under ſuch Inſtructions as are formerly mentioned.

And

An. 1643.

And that thoſe new Garriſons ſhall not be removed, nor their Fortifications repaired without conſent of your Majeſty and both Houſes of Parliament.

Will. Pierrepoint. *Northumberland.* *Will. Armyn.*
John Holland. *B. Whitlock.*

March 28. 1643.

HIS Majeſty is content that all the Garriſons in any Towns and Forts in the hands of any perſons imployed by the two Houſes of Parliament, wherein there were no Garriſons before theſe Troubles, be removed, and all Fortifications made ſince that time, may be ſlighted, and thoſe Towns and Forts ſhall for the future continue in the ſame Condition they were in before.

For the Cinque-Ports, they are already in the Cuſtody of a Noble Perſon, againſt whom his Majeſty knows no juſt Exceptions, and who hath ſuch a legal intereſt therein, that his Majeſty cannot with Juſtice remove him from it, until ſome ſufficient Cauſe be made appear to him; but is willing if he ſhall at any time be found guilty of any thing that may make him unworthy of that Truſt, that he may be proceeded againſt according to the Rules of Juſtice.

The Town of *Portſmouth*, and all other Forts, Caſtles and Towns, as were formerly kept by Garriſons, ſhall be reduced to their ancient proportion, and the Government of them put into the hands of ſuch perſons againſt whom no juſt Exceptions can be made, all of them being before theſe Troubles by Letters Patents granted to ſeveral perſons, againſt any of whom his Majeſty knows not any Exceptions, and who ſhall be removed if juſt cauſe ſhall be given for the ſame.

The Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Caſtles and Forts, ſhall keep the ſame Towns, Caſtles and Forts, as by the Law they ought to do, for his Majeſty's Service, and the Safety of the Kingdom; and they ſhall not admit into any of them Forreign Forces, or other Forces raiſed or brought in contrary to the Law, but ſhall uſe their utmoſt endeavour to ſuppreſs all ſuch Forces, and ſhall ſeize all Arms and Ammunition, which by the Laws and Statutes of the Kingdom they ought to ſeize.

The Garriſons of *Newcaſtle*, and all other Towns, Caſtles and Forts, in which Garriſons have been placed by his Majeſty ſince theſe Troubles, ſhall be removed, and all the Fortifications ſhall be ſlighted, and the Towns and Forts left in ſuch ſtate and condition as they were in the year 1636.

All other Towns, Forts and Caſtles, where there have been formerly Garriſons before theſe Troubles, ſhall be committed to the charge of ſuch Perſons, and under ſuch Cautions and Limitations as his Majeſty hath before expreſt.

And no new Garriſons ſhall be renewed, nor their Fortifications repaired, otherwiſe then as by the Laws and Statutes of the Kingdom, they may or ought to be. *Falkland.*

March 29. 1643.

CONcerning the appointing of the Warden of the Cinque Ports, and Governours of your Majeſty's Towns, Caſtles and Forts, we humbly deſire to know if your Majeſty's Reply doth intend, that both Houſes of Parliament may expreſs their confidence of the Perſons to whoſe Truſt thoſe Places are to be committed, for that we are directed by our inſtructions, that if your Majeſty be pleaſed to aſſent thereunto, that you would nominate Perſons of Quality to receive the charge of them. That we may forthwith certifie both Houſes of Parliament, that thereupon they may expreſs their confidence in thoſe Perſons, or humbly beſeech your Majeſty

to

to name others; none of which Perſons to be removed, during three years next enſuing, without juſt cauſe to be approved by both Houſes of Parliament, and if any be ſo removed, or ſhall dye within the ſaid ſpace, the perſons to be put in the ſame Offices ſhall be ſuch as both Houſes ſhall conſide in. 19 *Caroli.*

We humbly deſire to know if your Majeſty intends the Garriſon of *Portſmouth* to be of ſuch a proportion as it was about the year 1641. About which time a new ſupply was added to the former Garriſon to ſtrengthen it, which both Houſes of Parliament think neceſſary to continue.

We humbly deſire your Majeſty would be pleaſed to give a more full Anſwer to this Clauſe, *That they ſhould not admit into them any Forraign or other Forces, raiſed without your Majeſty's Authority and Conſent of the two Houſes of Parliament*, and *that they ſhall uſe their utmoſt endeavours to ſuppreſs all Forces whatſoever, raiſed without ſuch Authority and Conſent*, and *that thoſe Garriſons ſhould not be renewed, or their Fortifications repaired without conſent of your Majeſty and both Houſes of Parliament.*

J. Holland. *Northumberland.* *B. Whitlock.*
W. Armyn. *Will. Pierrepoint.*

April 5. 1643.

HIS Majeſty doth not intend that both Houſes of Parliament ſhall expreſs their confidence of the Perſons to whoſe Truſt the Cinque Ports, or other his Majeſty's Towns, Caſtles and Forts now are, or ſhall be committed, but only that they ſhall have liberty upon any juſt Exceptions to proceed againſt any ſuch Perſons according to Law; his Majeſty being reſolved not to protect them againſt the publick Juſtice. And well knowing that when any of thoſe places ſhall be void, the nomination and free election is a right belonging to, and inherent in his Majeſty. And having been enjoyed by all his Royal Progenitors, his Majeſty will not believe that his well-affected Subjects will deſire to limit him in that right.

His Majeſty intends the Garriſon of *Portſmouth* to be of ſuch a Proportion as it was in the year 1641. except he finds good Cauſe to enlarge or diminiſh the proportion.

His Majeſty cannot give a more full Anſwer to that Clauſe concerning the admiſſion of Forces into any of his Ports, Caſtles and Towns, then he hath already given, his Majeſty having therein made the Laws and Statutes of the Kingdom the rule of what is, or what is not to be done, which will be always the moſt impartial Judge between him and his People. *Falkland.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to deſire another anſwer from your Majeſty concerning the Cinque Ports, Towns, Forts and Caſtles, your Majeſty's former Anſwers concerning them being, in the moſt material Points, expreſs denials, as both Houſes of Parliament underſtand them.

J. Holland. *Northumberland.* *W. Pierrepoint.*
W. Armyn. *B. Whitlock.*

April 14. 1643.

HIS Majeſty will not at this time remember the many Acts of Grace and Favour he hath paſſed this Parliament for the good of his People; but he muſt ſay, he hath not denied any one thing propoſed to him by both Houſes, which in Juſtice could be required of him, or in reaſon expected; and he hath been, and is ſtill ſo unwilling to give a denial to both his Houſes, that as they ſhall be ſure to receive none to any Propoſition they ſhall make of right, ſo in matters of Grace and Favour, he ſhall be willing to receive any Information and Reaſon, which at any time may invite him to conſent, and therefore will gladly receive any Reaſon from the Committee, or both Houſes, which may induce his Majeſty to

An. 1643.

give another Anſwer, then what he hath already given in the Point of the Cinque Ports, Forts and Caſtles; but till ſuch be given, he cannot conſent to diſpoſſeſs any of his Servants of what they are legally poſſeſt, without a juſt Cauſe expreſt, or to quit his own right of ſole diſpoſing of their Commands, no other Cauſe yet appearing to him, then that the places they Command have been taken from him. *Falkland.*

April 14. 1643.

YOur Majeſty, in one of your Papers this day delivered unto us, mentions that you would gladly receive any Reaſon from both Houſes, or their Committee, which may induce your Majeſty to give another Anſwer then what you have already given in the Point of the Cinque Ports, Forts, Caſtles and Magazines.

We did according to our Inſtructions, humbly deſire your Majeſty that the Cinque Ports, Forts and Caſtles, might be put into the hands of ſuch Noble Perſons and Perſons of Quality and Truſt, to be nominated by your Majeſty, as the two Houſes of Parliament ſhould conſide in, and to be kept for your Majeſty's Service, and the Safety of the Kingdom, that no Forreign Forces, or other Forces raiſed without your Majeſty's Authority, and conſent of the two Houſes of Parliament, ſhould be admitted into any of them, and the Commanders to uſe their utmoſt endeavours to ſuppreſs all Forces raiſed without ſuch Authority and Conſent, and to ſeize all Arms and Ammunition provided for any ſuch Forces.

Unto which we humbly deſire your Majeſty's gracious aſſent, and to our other deſires concerning your Majeſty's firſt Propoſition, and the firſt Propoſition of both Houſes of Parliament, for that we humbly conceive your Conſent thereunto will be the beſt means for ſuch a Peace to be made, as will be ſafe, firm and laſting, the which is not to be hoped for, except there be a cure for Fears and Jealouſies, for which an apparent remedy is to diſband all Forces, and the ſame to be ſo mutually done, as neither part to have any force remaining of which the other may be jealous or in fear, but if for other cauſes, not concerned in theſe unhappy differences, Forces are to be retained, as in the Cinque Ports, and in ſome Forts, Towns and Caſtles for the defence of the whole Kingdom againſt Forreign Enemies, that then the ſame may remain in the hands of ſuch Perſons, with ſuch powers, as both parts might believe themſelves ſecure; for if the ſame places were conſidered in relation only to theſe unnatural diſtempers, and to the ſettling thereof, the Forces in them were likewiſe to be disbanded.

John Holland. *Northumberland.* *Will. Armyne.*
Will. Pierrepoint. *B. Whitlock.*

April 15. 1643.

AS his Majeſty was and is very deſirous to receive any Reaſon from both Houſes, or their Committee, which might induce his Majeſty to give other Anſwers, if what he hath or ſhall give do not ſatisfie, ſo he rather expected thoſe Reaſons ſhould have had their foundation in the Law of the Land, and have ſhewed him that by Law he had not the right he pretended, or that by that, or by ſome fundamental Law they had a right ſuperiour unto his in what is now in queſtion, or have ſhewed him ſome legal reaſon why the Perſons truſted by him were incapable of that truſt, then only have inſiſted upon Fears and Jealouſies, of which as he knows not the ground, ſo he is ignorant of the Cure. But this his Majeſty knows, that if readineſs to acknowledge, retract and provide againſt, for the future any thing of errour that hath hapned againſt Law, and having actually paſſed more important Bills, and parted with more of his known rights for the ſatisfaction of his Subjects, then not only any one, but all his Predeceſſors would have been thought a ſufficient remedy for Fears and Jea-

ſies,

ſies, the Kingdom might ſtill have enjoyed a ſafe, firm, and laſting Peace, and thoſe would not firſt have been made a reaſon to ſeize upon his rights, and then after have been made an argument to perſwade him to part with them. And his Majeſty wonders the Committee ſhould not ſee that this argument might extend to the depriving him of, or at leaſt, ſharing with him in all his juſt Regal Power (ſince Power as well as Forces may be the object of Fears and Jealouſies, and there will be always a power left to hurt whilſt there is any left to protect and defend;) and that if thoſe Rights, which he received from his Predeceſſors, were really ſo formidable, that would have been more feared before, which is now feared ſo much, and his Forts and Caſtles would either not have been attempted, or at leaſt himſelf have been enabled to defend and keep them, and have kept this from being a Queſtion now between them. Which ſince they could not do, his Majeſty (if he had as much inclination, as he hath more right, to Fears and Jealouſies) might have more reaſon to inſiſt upon ſome addition of Power, as a ſecurity to enable him to keep his Forts, when he hath them, then they to make any difficulty to reſtore them to him in the ſame condition they were before. But as his Majeſty contents himſelf with, ſo, he takes God to witneſs, his greateſt deſire is always to obſerve and maintain the Law of the Land, and expects the ſame from his Subjects, and believes the mutual obſervance of that rule, and neither of them to fear what the Law fears not, to be on both parts a better cure for that dangerous Diſeaſe of Fears and Jealouſies, and a better means to eſtabliſh a happy and a perpetual Peace, then for his Majeſty to deveſt himſelf of thoſe Truſts which the Law of the Land hath ſettled in the Crown alone, to preſerve the power and dignity of the Prince, for the better protection of the Subject, and of the Law, and to avoid thoſe dangerous diſtractions which the intereſt of any Sharers with him would have infallibly produced. *Falkland.* 19 *Caroli.*

March 27. 1643.

To the part of your Majeſty's firſt Propoſition which concerns your Ships, we humbly give this Anſwer.

The Papers concerning the Ships.

THat the Ships ſhall be delivered into the charge of ſuch a Noble Perſon as your Majeſty ſhall nominate to be Lord high Admiral of *England*, and the two Houſes of Parliament confide in, who ſhall receive the ſame Office by Letters Patents, *quàm diu ſe bene geſſerit*, and ſhall have power to nominate and appoint all ſubordinate Commanders and Officers, and have all other powers appertaining to the Office of high Admiral, which Ships he ſhall imploy for the defence of the Kingdom againſt all Forreign Forces whatſoever, and for the ſafeguard of Merchants, ſecuring of Trade, and the guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels, and ſhall uſe his utmoſt endeavour to ſuppreſs all Forces which ſhall be raiſed by any perſon without your Majeſty's authority, and conſent of the Lords and Commons in Parliament, and ſhall ſeize all Arms and Ammunition provided for ſupply of any ſuch Forces.

W. Pierrepoint. *Northumberland.* *J. Holland.*
W. Armyn. *W. Whitlock.*

March 28. 1643.

HIS Majeſty expects that his own Ships be forthwith delivered to him, as by the Law they ought to be. And when he ſhall pleaſe to nominate a Lord high Admiral of *England*, it ſhall be ſuch a Noble Perſon againſt whom no juſt exception can be made; and if any ſhall be, his Majeſty will always leave him to his due trial and examination, and grant his Office to him by ſuch Letters Patents as have been uſed; in the mean time his Majeſty will govern the ſaid Admiralty by Commiſſion, as in all times hath been accuſtomed. And whatever Ships ſhall be ſet forth by his

An. 1643.

Majeſty, or his authority, ſhall be imployed for the defence of the Kingdom againſt all Forreign Forces whatſoever, for the ſafeguard of Merchants, ſecuring of Trade, guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels, and ſhall uſe their utmoſt endeavours to ſuppreſs all Forces which ſhall be raiſed by any Perſon whatſoever, againſt the Laws and Statutes of the Kingdom, and to ſeize all Arms and Ammunition provided for the ſupply of any ſuch Forces. *Falkland.*

March 29. 1643.

WE humbly deſire your Majeſty would be pleaſed to give a more full Anſwer to the Clauſe for the Ships to be delivered into the charge of ſuch a Noble Perſon as your Majeſty ſhall nominate to be Lord High Admiral of *England*, and the two Houſes of Parliament confide in, who ſhall receive the ſame Office by Letters Patents, *Quam diu ſe bene geſſerit.*

And to that Clauſe, *To ſuppreſs all Forces which ſhall be raiſed by any perſon without your Majeſty's Authority, and Conſent of the Lords and Commons in Parliament.*

Whereunto if your Majeſty ſhall be pleaſed to give your aſſent, we conceive we are then directed by our Inſtructions, humbly to deſire your Majeſty to nominate ſuch a Noble Perſon to be Lord high Admiral of *England*, that we may forthwith certifie both Houſes of Parliament, that thereupon they may expreſs their confidence in that Perſon, or humbly beſeech your Majeſty to name another; and that in caſe ſuch Noble Perſon, who ſhall be appointed to be Lord high Admiral of *England* ſhall be removed, or ſhall dye within the ſpace of three years next enſuing, that the Perſon to be put in the ſame Office, ſhall be ſuch as both Houſes ſhall confide in.

W. Pierrepoint. *Northumberland.* *J. Holland.*
W. Armyn. *B. Whitlock.*

April 5. 1643.

HIS Majeſty conceives his former Anſwer of the 28th of *March*, concerning his Ships, to be ſo full, that he can add nothing thereunto in any part of it.

His Majeſty conceiving it all the Juſtice in the world for him to inſiſt, That what is by Law his own, and hath been contrary to Law taken from him, be fully reſtored unto him, without conditioning to impoſe any new limitation upon his Majeſty or his Miniſters, which were not formerly required from them by Law; and thinking it moſt unreaſonable to be preſt to diminiſh his own juſt Rights himſelf, becauſe others have violated and uſurped them. *Falkland.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to inſiſt upon the deſires of both Houſes expreſſed in the former Papers concerning the Ships: And both Houſes of Parliament do obſerve in your Majeſty's Anſwer, not only a denial to all their deſires, but likewiſe a cenſure upon their proceedings.

Will. Pierrepoint. *Northumberland.* *John Holland.*
Will. Armyn. *B. Whitlock.*

April 14. 1643.

HIS Majeſty for the preſent forbears any farther Anſwer touching his Ships, deſiring firſt to receive the Anſwer of both Houſes to his Meſſage of the Twelfth of this month: But his Majeſty will howſoever, before their departure hence, give them a further Anſwer. *Falkland*

April 15. 1643.

HIS Majeſty gave ſo clear a reaſon to juſtifie what he inſiſted upon in the point of the Ships, that he cannot but wonder to ſee the ſame again preſt on him, and yet both the reaſon he gave, left unanſwered, and

no

19 *Caroli.*

no other Reaſon oppoſed to weigh againſt it. His Majeſty's end in this, was not to lay any cenſure upon their proceeding, but it being neceſſary to the matter in queſtion, for his Majeſty to ſay what had been done, and the matter of fact being ſuch, as it ſeems, could not be repeated, but it muſt appear to be cenſured; his Majeſty did not think himſelf bound to be ſo tender of ſeeming to cenſure their proceedings, as by waving his own true reaſonable juſtifications, to leave his own naked and expoſed to a general cenſure. And his Majeſty hopes, that ſince they eſteem his ſaying, *That they have taken his Ships from him contrary to Law*, to be a cenſure, they will either produce that Law by which they took them, or free themſelves from ſo juſt and unconfutable a cenſure, by a ſpeedy and unlimited reſtoration. Upon which demand, his Majeſty's care of his ancient and undoubted Rights, doth oblige him to inſiſt. And when his Majeſty ſhall think fit to make an Admiral, as near as he can, he ſhall be ſuch an one, againſt whom no juſt exception can be made, and if any ſhall be offered, he will readily leave him to the trial of the Law. *Falkland.*

March 29. 1643.

The Papers concerning the Oath for Officers.

WE are humbly to deſire your Majeſty, that all Generals and Commanders in any of the Armies on either ſide, as likewiſe the Lord Admiral of *England*, the Lord Warden of the Cinque Ports, all Commanders of any Ships, and Commanders of any Town, Caſtle, or Fort, may take an Oath to obſerve the Articles formerly mentioned, and to uſe their utmoſt power to preſerve the true Reform'd Proteſtant Religion, and the Peace of the Kingdom againſt all Forreign Forces, and all other Forces raiſed without your Majeſty's Authority, and Conſent of the two Houſes of Parliament.

Will. Pierrepoint. *Northumberland.* *John Holland.*
Will. Armyne. *B. Whitlock.*

April 5. 1643.

HIS Majeſty conceives the Oaths which all thoſe Officers are already by Law obliged to take, to be very full and ſufficient: But if any thing ſhall be made appear unto him neceſſary to be added thereunto, when there ſhall be a full and peaceable Convention in Parliament, his Majeſty will readily conſent to an Act for ſuch an Addition. *Falkland.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to inform your Majeſty, that both Houſes of Parliament conceive the ordinary Oaths of the Officers mention'd in your Anſwer concerning the ſame, are not ſufficient to ſecure them againſt the extraordinary cauſes of Jealouſie, which have been given them in theſe troubleſom times. And that your Majeſty's Anſwer lays ſome tax upon the Parliament, as if defective, and thereby uncapable of making ſuch a proviſional Law for an Oath. Therefore we are humbly to inſiſt upon our former deſires for ſuch an Oath, as is mentioned in thoſe papers which we have formerly preſented to your Majeſty concerning this matter.

Will. Pierrepoint. *Northumberland.* *John Holland.*
Will. Armyne. *B. Whitlock.*

April 14. 1643.

HIS Majeſty did not refuſe by his former Anſwer to conſent to any ſuch Oath as ſhall be thought neceſſary, though he did, and doth ſtill conceive the Oaths already ſettled by Law to be ſufficient, neither did he ever ſuppoſe the Parliament incapable of making a proviſional Law for ſuch an Oath; but as he would be willing to apply any proper remedy to the extraordinary Cauſes of Jealouſies, if he could ſee that there were ſuch Cauſes, ſo he will be always moſt exact in obſerving the Articles agreed on in preſerving the true reformed Proteſtant Religion, and the Peace of the King-

An. 1643.

Kingdom againſt Forreign Forces, and other Forces raiſed or imployed againſt Law. And when both Houſes ſhall prepare and preſent ſuch an Oath, as they ſhall make appear to his Majeſty to be neceſſary to thoſe ends, his Majeſty will readily conſent to it. *Falkland.*

March 28. 1643.

His Majeſty's Anſwer to the firſt Propoſition of both his Houſes of Parliament.

The Papers concerning the disbanding of the Armies.

HIS Majeſty is as ready and willing that all Armies be disbanded, as any perſon whatſoever, and conceives the beſt way to it, to be a happy and ſpeedy concluſion of the preſent Treaty, which (if both Houſes will contribute as much to it as his Majeſty ſhall do) will be ſuddenly effected. And that this Treaty may the ſooner produce that effect, his Majeſty deſires that the time given to the Committee of both Houſes to treat, may be enlarged. And as his Majeſty deſires nothing more then to be with his two Houſes, ſo he will repair thither as ſoon as he can poſſibly do it with his honour and ſafety. *Falkland.*

March 29. 1643.

WE are directed by our Inſtructions humbly to deſire your Majeſties ſpeedy and poſitive Anſwer concerning the disbanding of the Armies, to which if your Majeſty be pleaſed to aſſent, we are then to beſeech your Majeſty in the name of both Houſes, that a neer day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkſhire*, and the other Northern Counties, as alſo in *Lancaſhire*, *Cheſhire*, and in the Dominion of *Wales*, and in *Cornwal* and *Devonſhire*. And they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnſhire*, *Nottinghamſhire*, *Leiceſterſhire*, and all other places, except at *Oxford* and the Quarters thereunto belonging, and *Windſor* and the Quarters thereunto belonging. And that laſt of all, a ſpeedy day may be appointed for the disbanding of thoſe two Armies at *Oxford* and *Windſor*, and all the Forces members of either of them.

That ſome Officers of both Armies may ſpeedily meet to agree of the manner of disbanding, and that fit perſons may be appointed by your Majeſty, and both Houſes of Parliament, who may repair to the ſeveral Armies, and ſee the disbanding put in ſpeedy execution accordingly.

W. Pierrepoint. *Northumberland.* *John Holland.*
W. Armyn. *B. Whitlock.*

March 29. 1643.

Concerning your Majeſty's Anſwer to the Propoſition of both Houſes for Disbanding of the Armies.

WE humbly deſire to know, if by the words (*By a happy and ſpeedy concluſion of the preſent Treaty*) your Majeſty do intend a concluſion of the Treaty on your Majeſty's firſt Propoſition, and their Propoſition for disbanding the Armies, or a concluſion of the Treaty on all the Propoſitions of both parts.

We have given ſpeedy notice to both Houſes of Parliament, of your Majeſty's deſires, that the time given to the Committee of both Houſes to treat may be enlarg'd. To the laſt Clauſe we have no Inſtructions.

W. Pierrepoint. *Northumberland.* *J. Holland.*
W. Armyn. *B. Whitlock.*

April 5. 1643.

HIs Majeſty intended by the words, *By a happy and ſpeedy concluſion of the Treaty*, ſuch a concluſion of or in the Treaty, as there might be a clear evidence to himſelf, and his good Subjects, of a future Peace, and no ground left for the continuance and growth of theſe bloody diſſentions; which, he doubts not, may be obtained, if both Houſes ſhall conſent, that the Treaty may proceed without further Interruption or Limitation of days. *Falkland.*

April

19 Caroli.

April 5. 1643.

WHen the time for disbanding the Armies ſhall be agreed upon, his Majeſty well approves that ſome Officers of both Armies may ſpeedily meet to agree of the manner of disbanding, and that fit perſons may be appointed by his Majeſty, and both Houſes of Parliament, who may repair to the ſeveral Armies, and ſee the disbanding ſpeedily put in execution accordingly. *Falkland.*

April 6. 1643.

WE humbly deſire to know, if by the words (*By a happy and ſpeedy concluſion of the preſent Treaty*) your Majeſty intends a concluſion of the preſent Treaty on your Majeſty's firſt Propoſition, and the Propoſition of both Houſes for disbanding of the Armies, or a concluſion of the Treaty on all the Propoſitions of both parts.

And what your Majeſty intends to be a clear evidence to your ſelf, and your good Subjects of a future Peace, and no ground left for the continuance or growth of theſe bloody diſſentions.

W. Pierrepoint. *Northumberland.* *J. Holland.*
W. Armyne. *B. Whitlock.*

April 6. 1643.

HIS Majeſty deſires to know from the Committee of both Houſes, whether they acquieſce with his Majeſty's Reply's to their Anſwers concerning his firſt Propoſition, which yeſterday they received from him, and to which they have yet made no return.

His Majeſty likewiſe deſires to know, whether they have yet received power and inſtructions to Treat with his Majeſty concerning his return to his two Houſes of Parliament, which is part of the firſt Propoſition of both Houſes.

April 6. 1643. *Falkland.*

WE ſhall tranſmit your Majeſty's Replies to our Anſwers, concerning your firſt Propoſition to both Houſes of Parliament, without farther reply.

We likewiſe humbly anſwer, That we have not received any Power or Inſtructions to treat with your Majeſty concerning your return to your two Houſes of Parliament, but we aſſure our ſelves they will give your Majeſty ſatisfaction therein.

John Holland. *Northumberland.* *Will. Armyn.*
Will. Pierrepoint. *B. Whitlock.*

April 7. 1643.

HIS Majeſty conceives his Anſwers already given, (for he hath given two) to be very clear and ſignificant. And if the concluſion of the preſent Treaty on his Majeſty's firſt Propoſition, and the Propoſition of both Houſes ſhall be ſo full and perfectly made, that the Law of the Land may have a full, free, and uninterrupted Courſe, for the defence and preſervation of the Rights of his Majeſty, both Houſes, and his good Subjects, there will be thence a clear Evidence to his Majeſty and his good Subjects of a future Peace; and no ground left for the continuance and growth of theſe bloody diſſentions, and it will be ſuch a concluſion as his Majeſty intended.

His Majeſty never intending that both Armies ſhould remain undisbanded until all the Propoſitions of both ſides were fully concluded. But his Majeſty is very ſorry that in that point of the firſt Propoſition of both Houſes, which hath ſeemed to be ſo much wiſhed, and which may be ſo concluded as alone much to conduce to the evidence deſired, (*viz.* his return to both Houſes, to which his Majeſty in his Anſwer hath expreſſed himſelf to be moſt ready, whenſoever he may do it with honour and ſafety) they have yet no manner of Power nor Inſtructions ſo much as to treat with his Majeſty. *Falkland.*

April 7. 1643.

WE have not tranſmitted your Majeſty's Anſwer to the Propoſition of disbanding, wherein your Majeſty mentions your ſelf to be moſt ready to return to both Houſes of Parliament, whenſoever you may do it with honour and ſafety, for that we humbly conceive, we are to expect your Majeſty's Anſwer to that Propoſition this day received, before we could give a due accompt thereof to both Houſes of Parliament, the which we will preſently ſend away without farther Reply.

J. Holland. *Northumberland.* *W. Armyne.*
W. Pierrepoint. *B. Whitlock.*

April

An. 1643.

April 8. 1643.

BY Inſtructions this day received from both Houſes of Parliament, we humbly conceive that we are to acquaint your Majeſty, That they have taken into conſideration your Majeſty's Anſwer to their Reaſons concerning the Ceſſation, wherein there are divers expreſſions which will occaſion particular replies, which at this time they deſire to decline, their wiſhes and endeavours being earneſtly bent upon the obtaining a ſpeedy Peace, for which cauſe they do not think good to conſume any more of the time allowed for the Treaty, in any farther debates upon the Ceſſation, concerning which they find your Majeſty's expreſſions ſo doubtful, that it cannot be ſuddenly or eaſily reſolved, and the remainder of the time for the whole Treaty being but 7 days, if the Ceſſation were not preſently agreed, it would not yield any conſiderable advantage to the Kingdom.

Wherefore we are required to deſire your Majeſty to give a ſpeedy and poſitive Anſwer to the firſt Propoſition concerning the disbanding, that ſo your Subjects may not only have a ſhadow of Peace in a ſhort time of Ceſſation, but the ſubſtance of it in ſuch manner as may be a perpetual bleſſing to them, by freeing the Kingdom from theſe miſerable effects of War, the effuſion of *Engliſh* Blood, and deſolation of many parts of the Land.

John Holland. *Northumberland.* *Will. Armyn.*
Will. Pierrepoint. *B. Whitlock.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to inſiſt upon that part of the firſt Propoſition of both Houſes of Parliament, concerning the disbanding, according to the Papers we have formerly preſented to your Majeſty thereupon. And we are humbly to acquaint your Majeſty, That both Houſes of Parliament do conceive your Majeſty's Anſwer concerning the disbanding to be in effect a denial, unleſs they diſſert all thoſe Cautions and Limitations, which they have deſired in their Anſwer to your Majeſty's firſt Propoſition.

Will. Pierrepoint. *Northumberland.* *Will. Armyn.*
John Halland. *B. Whitlock.*

April 10. 1643.

BY Inſtructions from both Houſes of Parliament yeſterday received, we are commanded to declare unto your Majeſty the deſire of both Houſes for your Majeſties coming to your Parliament, which they have often expreſſed with full offers of Security to your Royal Perſon, agreeable to their Duty and Allegiance, and they know no cauſe why your Majeſty may not return thither with Honour and Safety; but they did not inſert it into our Inſtructions, becauſe they conceived the disbanding of the Armies would have faciliated your Majeſty's Reſolution therein, which they likewiſe conceived was agreeable to your Majeſty's ſenſe, who in declaring your conſent to the order of the Treaty, did only mention that part of the firſt Propoſition which concerned the diſbanding, and did omit that which concerned your Majeſty's coming to both Houſes of Parliament. *Northumberland.*

Will. Pierrepoint. *John Holland.* *Will. Armyn.* *B. Whitlock.*

April 14. 1643.

HIS Majeſty had great reaſon to expect, That as he anſwered to every part of the firſt Propoſition of both Houſes, ſo the Committee ſhould likewiſe have had Power and Inſtructions to treat with his Majeſty concerning both parts of the ſame; nor had the Houſes any reaſon to ſuppoſe their courſe agreeable to his Majeſty's ſenſe, for his Majeſty in declaring his conſent to the order of the Treaty, indeed mentioned their firſt Propoſition by the ſtile of the firſt Propoſition which concerned disbanding, but did not ſtile it that part of the firſt Propoſition which concerned disbanding, as, if he had meant to have excluded any part of that Propoſition from being treated on, he would and ought to have done, but though his Majeſty's Anſwers in the point of disbanding and return to his Parliament, were as Particular and as ſatisfactory as his Majeſty had cauſe to make, or could well give, till this latter part were conſented to be treated upon; yet out of his great deſire of Peace, and of complying with both Houſes, his Majeſty hath made a full and particular Anſwer and Offer to both Houſes, concerning as well the firſt part of their firſt Article, upon which he hath treated with the Committee, as that upon which they have yet no power to treat, tho his Majeſty hath preſt that ſuch power might be given to them. *Falkland.*

April

18 *Caroli.*

April 14. 1643.

WE received Inſtructions from both Houſes of Parliament the Ninth of this preſent *April*, and in purſuance thereof, we humbly preſented a Paper to Your Majeſty upon the Tenth of this inſtant, wherein thoſe Inſtructions were expreſſed, and the Deſire of both Houſes concerning Your Majeſties return to your Parliament.

Northumberland.

Will. Peirrepont. *Will. Armyne.*
Job. Holland. *B. Whitelock.*

April 15. 1643.

HIs Majeſty doth acknowledge to have received a Paper from the Committee upon the Tenth of *April*, expreſſing, That they had received Inſtructions, to Declare unto His Majeſty the Deſire of both Houſes for His Majeſties coming to His Parliament, which they had often expreſs'd with full Offers of Security to His Royal Perſon, agreeable to their Duty and Allegiance; and that they know no Cauſe why His Majeſty might not return thither with Honour and Safety. But as the Committee had before acknowledged in a Paper of the Sixth of *April*, not to have any Power or Inſtructions to Treat with His Majeſty concerning His Return to His two Houſes of Parliament; and as this Paper mentioned no Inſtructions to Treat, but only to deliver that ſingle Meſſage concerning it, ſo His Majeſty took it for Granted, that if they had received any new Power or Inſtructions in that Point, they would have Signified as much to Him; and therefore conceiving it in vain to Diſcourſe, and impoſſible to Treat upon that, with thoſe, who had no Power to Treat with Him, His Majeſty addreſs'd that Anſwer concerning that Point to both Houſes, of which His Majeſty took notice to the Committee in a Paper of the Seventh of *April*, and which was ſhewed to them before He ſent it. And if both Houſes will upon it but Conſent, to give His Majeſty ſuch Security as will appear to all indifferent Perſons to be agreeable to their Duty and Allegiance, (thoſe Tumults which drove Him from thence, and what followed thoſe Tumults, being a moſt viſible and ſufficient Reaſon why He cannot Return thither with His Honour and Safety, without more particular Offers of Security, than as yet they have ever made Him) all Diſputes about that Point between them, will be ſoon ended, and His Majeſty ſpeedily return to them, and His whole Kingdom to their former Peace and Happineſs.

Faulkland.

The Treaty going thus ſlowly on, His Majeſty thought fit on the 12th of *April* to ſend this following Meſſage to the Two Houſes.

CHARLES R.

TO ſhew to the whole World how earneſtly His Majeſty longs for Peace, and that no Succeſs ſhall make him deſire the continuance of his Army to any other end, or for any longer time than that, and until Things may be ſo ſettled, as that the Law may have a full, free, and uninterrupted Courſe, for the Defence and Preſervation of the Rights of His Majeſty, both Houſes, and his good Subjects.

Kings Meſſage to the Parliament *April* 12.

An. 1642.

1. *As ſoon as His Majeſty is ſatisfied in His Firſt Propoſition, concerning His own Revenue, Magazines, Ships, and Forts, in which he deſires nothing but that the juſt, known, legal Rights of His Majeſty, (devolved to Him from His Progenitors) and of the Perſons truſted by Him, which have violently been taken from Both, be reſtored unto Him, and unto them, unleſs any juſt and legal Exceptions againſt any of the Perſons truſted by Him (which are yet unknown to His Majeſty) can be made appear to Him.*

2. *As ſoon as all the Members of both Houſes ſhall be reſtored to the ſame capacity of Sitting and Voting in Parliament as they had upon the Firſt of* January, 1641, *the ſame of Right belonging unto them by their Birth-Rights, and the free Election of thoſe that ſent them, and having been Voted from them for Adhering to His Majeſty in theſe Diſtractions; His Majeſty not intending that this ſhould extend either to the Biſhops, whoſe Votes have been taken away by Bill; or to ſuch, in whoſe Places upon new Writs, new Elections have been made.*

3. *As ſoon as His Majeſty, and both Houſes, may be ſecured from ſuch Tumultuous Aſſemblies, as to the great Breach of the Privileges, and the high Diſhonour of Parliaments have formerly aſſembled about both Houſes, and awed the Members of the ſame; and occaſioned two ſeveral Complaints from the Lords Houſe, and two ſeveral Deſires of that Houſe to the Houſe of Commons, to join in a Declaration againſt them; the complying with which Deſire might have prevented all theſe miſerable Diſtractions which have enſued. Which Security His Majeſty conceives can be only ſetled by Adjourning the Parliament to ſome other Place, at the leaſt Twenty Miles from* London, *the choice of which His Majeſty leaves to both Houſes.*

His Majeſty will moſt chearfully and readily Conſent, that both Armies be immediately Disbanded, and give a preſent meeting to both His Houſes of Parliament at the time and place, at, and to which, the Parliament ſhall be agreed to be Adjourned.

His Majeſty being moſt Confident, that the Law will then recover the due Credit and Eſtimation, and that upon a free Debate, in a full and peaceable Convention of Parliament, ſuch Proviſions will be made againſt Seditious Preaching and Printing againſt His Majeſty, and the Eſtabliſh'd Laws, which hath been one of the chief Cauſes of the preſent Diſtractions; and ſuch care will be taken concerning the legal and known Rights of His Majeſty, and the Property and Liberty of his Subjects, that whatſoever hath been Publiſh'd or done, in, or by colour of any illegal Declaration, Ordinance, or Order of one or both Houſes, or any Committee of either of them, and particularly the Power to raiſe Arms without His Majeſty's Conſent, will be in ſuch manner Recalled, Diſclaimed, and Provided againſt, that no Seed will remain for the like to ſpring out of, for the future, to diſturb the Peace of the Kingdom, and to endanger the very Being of it.

And in ſuch a Convention His Majeſty is Reſolved by His Readineſs to Conſent to whatſoever ſhall be propoſed to Him by Bill, for the real Good of His Subjects, (and particularly for the better Diſcovery, and ſpeedier Conviction of Recuſants, for the Education of the Children of Papiſts, by Proteſtants, in the Proteſtant Religion, for the prevention of practices of Papiſts againſt the State, and the due Execution of the Laws; and true leavying of the Penalties againſt them) to make known to all the World how cauſeleſs thoſe Fears and Jealouſies have been, which have been raiſed againſt Him, and by that ſo Diſtracted this miſerable Kingdom.

And

18 Caroli.

And if this Offer of His Majesty be not Consented to, (in which he Asks nothing for which there is not apparent Justice on His Side, and in which He defers many Things highly concerning both Himself and People, till a full and peaceable Convention of Parliament, which in Justice He might now require) His Majesty is confident that it will then appear to all the World, not only who is most desirous of Peace, and whose Default it is that both Armies are not now Disbanded, but who hath been the true and first Cause that this Peace was ever Interrupted, or these Armies Raised, and the Beginning, or Continuance of the War, and the Destruction and Desolation of this poor Kingdom (which is too likely to ensue) will not by the most interressed, passionate, or prejudicate Person be imputed to His Majesty.

The Parliaments Commissioners at *Oxford* had intimation of this Message before it was sent, and disswaded the sending of it, as that which they fear'd would break off the Treaty, it being improbable that the Houses would leave the City of *London*, their best Friends and Strength, and put a Discontent upon them; yet the King was prevailed with to send it, which the Houses had no sooner Receiv'd, but they Resolved to recal their Commissioners, sending them positive Orders, immediately to Return, which they Obey'd; and so the Treaty having continued from the Fourth of *March* to the Fifteenth of *April*, concluded without Effect.

Mr. Bulstrode Whitelock, *one of the Parliaments Commissioners at this Treaty, mentioning the same in his Memorials, (lately Printed)* fol. 65. *has these further Notes relating thereunto.*

'THE King (*says he*) used them [*that is, the Parliaments Commissioners*] with great Favour and Civility, and his General *Ruthen*, 'and divers of his Lords and Officers, came frequently to their Table, 'and they had very Friendly Discourses and Treatments together. 'The King himself did them the Honour sometimes to Accept of part 'of their Wine and Provisions, which the Earl sent to him, when they 'had any thing extraordinary. Their Instructions were very strict, 'and tied them up to Treat with none but the King himself, whom 'they often attended at his Lodgings in *Christ-Church*, and had Access 'at all times when they desired it, and were allow'd by his Majesty 'a very free Debate with him.

Mr. *Whitlock's* Account of this Treaty.

'He had commonly waiting on him, when he Treated with them, 'Prince *Rupert*, and the Lord Keeper *Littleton*, the Earl of *Southampton*, 'the Lord Chief Justice *Banks*, and several Lords of his Council, who 'never Debated any Matters with them, but gave their Opinions to the 'King in those Things which he Demanded of them; and sometimes 'would put the King in Mind of some particular Things, but otherwise they did not Speak at all.

'In this Treaty the King manifested his great Parts and Abilities, 'strength of Reason, and quickness of Apprehension, with much patience in hearing what was Objected against him; wherein he allowed 'all freedom, and would himself Sum up the Arguments, and give a 'most clear Judgment upon them.

'His Unhappiness was, That he had a better Opinion of others 'Judgments than of his own, though they were weaker than his own; 'And of this the Parliaments Commissioners had Experience to their 'great Trouble.

An. 1642.

'They were often waiting on the King, and Debating ſome Points 'of the Treaty with him until Midnight, before they could come to 'a Concluſion. Upon one of the moſt material Points, they preſſed 'his Majeſty with their Reaſons, and beſt Arguments they could Uſe, 'to grant what they Deſired. The King ſaid, he was fully Satisfied, 'and Promiſed to give them his Anſwer in Writing, according to their 'Deſires; but becauſe it was then paſt Midnight, and too late to put 'it into Writing, he would have it drawn up the next Morning, (when 'he commanded them to wait on him again) and then he would give 'them his Anſwer in Writing, as it was now agreed upon.

They went to their Lodgings full of joyful Hopes to receive this 'Anſwer the next Morning; and which being given, would have 'much conduced to an happy Iſſue and Succeſs of this Treaty; and 'they had the King's Word for it; and they waited on him the next 'Morning at the Hour appointed. But inſtead of that Anſwer which 'they Expected, and were Promiſed, the King gave them a Paper 'quite contrary to what was concluded the Night before, and very much 'tending to the Breach of the Treaty. They did humbly Expoſtulate 'this with his Majeſty, and preſſed him upon his Royal Word, and 'the ill Conſequences which they feared would follow upon this his 'new Paper; But the King told them, he had alter'd his Mind, and 'that this Paper which he now gave them, was his Anſwer, which he 'was now Reſolved to make upon their laſt Debate; And they could 'obtain no other from him, which occaſioned much Sadneſs and Trouble 'to them.

Some of his own Friends, of whom the Commiſſioners enquired 'touching this paſſage, informed them, That after they were gone 'from the King, and that his Council were alſo gone away, ſome of 'his Bed-Chamber (and they went higher) hearing from him what 'Anſwer he had promiſed, and doubting that it would tend to ſuch 'an Iſſue of the Treaty as they did not wiſh, (they being rather for 'the continuance of the War) never left preſſing, and perſuading his 'Majeſty, till they prevailed with him to change his former Reſo- 'lutions, and to give Order for his Anſwer to be drawn, as it was 'now delivered.

------*Thus* Whitelock.

The Parliaments Declaration, and King's Anſwer touching this Treaty, to be Read in the Appendix N.

On the Sixth of *May* following, the Two Houſes ſet forth a Declaration touching this Treaty, with certain Intercepted Letters therein Referred unto; whereunto his Majeſty largely Anſwered, which being both very long, are Referred to the Appendix.

CHAP.

19 *Caroli.*

Chap. XI.

Of Battels, Sieges, Skirmiſhes, and other Military Tranſactions in the Year 1643.

THE Treaty for Peace at *Oxford*, being thus broken off, without Succeſs, as you have heard, the War was preſently Proſecuted with greater Fury, through moſt Parts of the Nation: Of the moſt conſiderable Actions we ſhall endeavour, in this Chapter, to give an Account, as near as we can, in the Order of Time as they happen'd.

Malmsbury Surrendred to *Waller*, *March* 21th. 1643.

Sir *William Waller* having raiſed a Competent Force, on the 19*th* of *March* advanced from *Briſtol* to *Malmsbury*, where Colonel *Herbert Lunsford*, a Stout Gentleman, and a good Soldier (Brother to Sir *Tho. Lunsford* that was taken at *Edge-hill*) was Governor; who ſent out ſome Troops to Encounter him, but they being beat back, *Waller* Aſſaulted the Town, but not prevailing, he prepared next Morning for another and more fierce Attack: But they within conceiving the Place not Tenible, deſired a Parley, and yielded upon Quarter: Colonel *Lunsford*, Colonel *Cook*, ſome other Officers, and near 300 Common Soldiers, being made Priſoners; and One Piece of Ordnance, with ſome Ammunition, Taken.

Waller Defeats the Lord *Herbert* and his *Welch* Forces near *Gloceſter*.

About the ſame time, the Lord *Herbert*, of *Ragland*, Son to the Marqueſs of *Worceſter*, with a conſiderable Army of *Welch-men*, lay near *Gloceſter*, and almoſt Block'd up that City. *Waller*, with his Forces, advances to *Cirenceſter*, and made ſhew as if he would fall upon that Town: But this deſign was for *Gloceſter*, of which he gave the Men in *Gloceſter* notice, who ſupplyed him with Flat-bottom'd Boats; wherewith he ſuddenly tranſported his Forces over the River *Severn*, beyond *Gloceſter*, and fell upon the Rear of the Lord *Herbert's Welch* Forces; whom, at the ſame time a Party out of *Gloceſter*, Charged in the Front, whereby there were about 500 of the *Welch* Slain upon the place, and 1000 taken Priſoners, with all their Arms and Ammunition, the reſt wholly diſperſed, and the Lord *Herbert* himſelf with difficulty eſcaped to *Oxford*. *Waller* marched from thence to *Tewxbury*, and having Foraged the Country, returned to *Gloceſter*, and from thence to *Chepſtone* in *Monmouth-ſhire*, which he took, and alſo a Ship called the *Dragon of Briſtol*, in which was great ſtore of Wealth; and ſoon after the Town of *Monmouth* was alſo Surrendred to him.

Waller takes *Hereford*, *Apr.* 25. 1643.

After this he march'd to *Hereford*, and Summon'd it, but receiv'd a ſlighting Anſwer from Colonel *Herbert Price*, whereupon he order'd ſome Pieces of Ordnance to be diſcharged againſt the Town; and, after ſome Sallies made, a Parley was deſired, and Articles agreed on, That the Town, Arms, and Ammunition ſhould be delivered, Quarter allow'd to the Commanders and Soldiers, Plundering to be Prohibited, the Ladies to be Civilly Treated, *&c.* Here were taken the Lord *Scudamore's* Son, Colonel *Herbert Price*, Sir *Richard Cave*, L. Colonel *Conisby*, and Mr. *Conisby*; and alſo Sir *Walter Pye*, Sir *William Crofts*, Lieutenant Colonel *Thomas Price*, Serjeant Major *Mintridge* (who was dangerouſly Wounded) Sir *Samuel Awbry*, Serjeant Major *Dalton*, Doctor *Rogers*,

An. 1643.

March 25. 1643. Sir *Hugh Cholmley* declares for the King.

Rogers, Doctor *Godwyn*, Doctor *Evans*, and divers others, who were carried to *Gloceſter*.

Sir *Hugh Cholmley* had raiſed a Troop for the Parliament, and appeared active for their Service; whereupon he was, by them, entruſted alſo with the Government of *Scarborough* Town and Caſtle, a place of conſiderable Strength and great Importance: But, Her Majeſty being Landed, and now come to *York*, he, about the middle of *March*, entred into Intelligence with the Royal Party, and Letters paſs'd between him, and Colonel *Goring*, and others: And, upon one day, Two Trumpets came to *Scarborough*, one from the ſaid Colonel *Goring* at *York*, the other from Sir *Francis Mackworth* at *Thornton*, where had lately happen'd a Rencounter between ſome of the King's Forces, and a Party ſent out of *Scarborough*; the latter bringing in ſeveral Priſoners; And the Errand of theſe Trumpeters was now given out to be, to Treat about exchange of Priſoners. But from that time Sir *Hugh* was obſerved, by ſome Officers in his Garriſon, to be very frequently magnifying the Earl of *New-Caſtle*'s Forces in his Diſcourſes, and undervaluing thoſe under Command of the Earl of *Eſſex*, and the Lord *Fairfax*: He alſo often complain'd, That he *was ſlighted by the Parliament*; for that having ſeveral times Importun'd them for *Supplies*, he could never obtain them in that meaſure as he deſired. Mr. *James Cholmley*, his Kinſman, whoſe Son ſerved the Earl of *Crawford*, (and who was ſuppoſed to have had ſome Influence upon him in this Turn) was ſent to *York*, as was believ'd, about effecting this deſign; tho', at his return, he gave out with deep Proteſtations, that riding into the Country about buſineſs, he was caſually made Priſoner Six Miles from *Scarborough*, and carried to *York*; whence, he ſaid, by ſome Friends and Acquaintance, he found means to eſcape.

On *Munday March* 20. Sir *Hugh* rode out early with one Servant only, and declared to a Principal Officer of his, That he was to meet Sir *John Hotham*, to conſult about ſending of Forces, for clearing that ſide of the Country; but deſired, if any asked for him, it ſhould be ſaid he was gone to *Whitby*, his own Houſe, to take care for the Preſervation of it and the Town: He ſtaid out all Night, and alledged next day, That he lay at *Ganton*, a Friends Houſe, about Six Miles from *Scarborough*. But indeed, in that time, waited on the Queen at *York*, and received a Commiſſion to hold *Scarborough*-Caſtle for the King, having now fixt his Reſolutions, and conſidering that he had Money, Goods, and other things of Value in *Hull*; which, upon his declaring for the King, would be ſeized; he therefore reſolves to get them firſt from thence; and, on *Thurſday March* 24. ſent Captain *Brown Buſhel* thither with a ſmall Ship, and Seven Pieces of Ordnance, to bring them away: But ſo it happen'd, That, that very Night, Sir *John Hotham* had ſome Intimation of his Practices, and being confirmed therein by this ſending for his Goods; the ſaid Sir *John Hotham* not only *ſtop'd* the ſaid Ship from returning, but alſo diſpatch'd a *Ketch* to Captain *Haddock*, and other Parliaments Ships abroad, to give them notice, leſt they not ſuſpecting his Revolt, ſhould put into that Haven, and be ſnap'd. This *Ketch* being at Sea, well Man'd, and having in her Four Guns, met with a *Scarborough* Ship, Laden with Ammunition, going from the Parliament to Sir *Hugh*, *viz.* Three Pieces of Ordnance, Twenty Barrels of Powder, Forty Carbines, ſome Piſtols and Swords, and Two great Fats of Match; all which they ſeized and carried away to *Hull*.

In

19 *Caroli.*

In the mean time, on *Friday March* the 25*th* in the Evening, Sir *Hugh* ſent for one of his Captains, a Kinſman of his, to the Caſtle, where he lay, and told him, He was reſolved to hold the Caſtle *for the King*; but withal, was willing to allow him the uſe of his Conſcience; ſo that if he did not think fit to continue his Command there, he ſhould, with his Wife and Children, freely go to *Hull*; and the next Morning declared ſuch his Reſolution to Sir *Thomas Norcliff*, Captain *Froom*, and Captain *Vanderhurſt*, a *German*, that likewiſe ſerved under him in the Garriſon, who were all much diſſatisfied at it. The ſame day he gave leave to his Kinſman, the firſt mentioned Captain, to go to *Hull*, upon his Parole, and promiſe to procure Sir *John Hotham* to inlarge Captain *Buſhel* within Two days, or elſe he himſelf to return to *Scarborough*, and Captain *Froom* and Captain *Vanderhurſt*, with ſeveral Troopers, followed, refuſing to ſerve for the King in *Scarborough*; But *Brown Buſhel* was by *Hotham* releaſed, and came back to *Scarborough*; and tho' he were Couſin German to Sir *Hugh*, yet he made many Proteſtations ere he went from *Hull*, to recover the Caſtle, and accordingly perform'd it: For Sir *Hugh* having, as he thought, firmly ſettled all things, repaired to the Queen, and committed the Caſtle to the Truſt of Mr. *James Cholmley*, a Man of no great Experience in War, under whom *Henry Buſhel*, (Captain *Buſhel*'s Brother) was Lieutenant. The Two Brothers conferred together, and having prepared the Soldiers, who were diſſatisfied at the former Revolt, on *Thurſday* the laſt of *March*, in the Night, they ſeiz'd firſt the Serjeant that Commanded the Guard, and next the *Gunners*, and then cauſing the Serjeant to Knock at the Gate of the Tower, (a place of great Strength, where the Captain was Lodg'd, under pretence of an Alarm in the Town, and deſiring Powder and Shot for the Soldiers, from the Keeper of the Magazine) got the Gate open, and ſo became Maſters of the whole Caſtle and Garriſon, which, tho' able to hold out againſt an Army of 10000 Men, was thus twice Taken in one Week, without ſhedding one drop of Blood. And upon notice thereof, Sir *John Hotham* ſent thither more Soldiers to Relieve them, and 20*l.* to the Garriſon to Drink. And the Houſe of Commons, upon Intelligence of Sir *Hugh's* Revolt, reſolved, That he ſhould be diſabled from continuing any longer a Member of that Houſe; and that he ſhould be Impeached of High-Treaſon. But notwithſtanding all this, Captain *Buſhel* ſome time after, held Correſpondence with the Royal Party, and delivered up *Scarborough*, for which he was Impriſoned at *Hull*, but releaſed by Sir *John Hotham*, and betook himſelf to the Service of the King.

Scarborough recovered to the Parliament

On *Saturday April* the 15*th* General *Eſſex*, with his Army, conſiſting of about 15000 Foot, and 3000 Horſe, came before *Reading*, (which was ſtrongly Fortified, and had above 3000 in Garriſon, and well provided for;) He ſent a Trumpeter to Summon the Town, which Sir *Arthur Aſton*, the Governor, utterly refuſed to hearken unto; whereupon he began his Intrenchments, and the ſame Night raiſed a Work to Plant their great Ordnance upon, which, on *Sunday* Morning, began to Play againſt the great Fort upon *Caveſham* Hill, that Commands the Town. And continuing thus to make his Approaches and Batteries, and the Governor being forced to keep his Chamber, by reaſon of a hurt he received by the Bricks of a Stack of Chimneys ſhot down by the Enemy: Colonel *Fielding* (who during his Indiſpoſition, Commanded in Chief) wanting Powder, hung out a *Flag of Truce*: But whil'ſt the Treaty was depending, the King in Perſon with

The Taking of *Reading* by *Eſſex*, *April* 27. 1643.

An. 1643. with Prince *Rupert*, Prince *Maurice*, &c. having drawn together a conſiderable Body, advanced from *Wallingford* towards *Reading*, to raiſe the Siege: Whoſe only Paſs being over *Caveſham-Bridge*, the Lord *Roberts* and Colonel *Barklay*'s Regiments, who had the Guard thereof, not only ſtopt their Paſſage there, but made the whole Body retire with Loſs. Yet in the time of this Shirmiſh, at an other place, they got an Opportunity to convey over the River into the Town, a quantity of Powder, (whereof they were in greateſt want.) However, the Treaty went on, being in a manner before concluded upon; from which *Fielding* alledged he could not in Honour then recede. The Articles were as follow.

Articles concluded and agreed upon by his Excellency the Earl of *Eſſex*, General of the Forces raiſed for the Defence of the King and Kingdom, of the one part; and the Governour and Council of War in the Town of *Reading*, of the other part: This 26th day of *April*, 1643.

The Articles for Surrender of *Reading*, *Apr.* 26.

I. *THat the Governour, Commanders, and Soldiers, both of Horſe and Foot, may march out of the Town of* Reading *with flying Colours, Arms, four Pieces of Ordnance, Ammunition proportionable to them, Bag and Baggage, lighted Match, Bullet in Mouth, Drums beating, and Trumpets ſounding.*

II. *That they may have free Paſſage to the City of* Oxford, *without Interruption of any of the Forces under the Command of his Excellency the Earl of* Eſſex; *provided that the ſaid Governour, Commanders, and Soldiers, uſe no Hoſtility until they come to* Oxford.

III. *That what Perſons ſoever are accidentally come to the Town of* Reading, *and ſhut up by the Siege, may have like Liberty to paſs without Interruption; ſuch Perſons only excepted, as have run away out of the Army under the Command of his Excellency.*

IV. *That they may have* 50 *Carriages for Baggage for ſick and hurt Men, which they are to provide themſelves; and that they carry not out of the Town of* Reading *any ſuch Goods or Commodities as have been taken from the Weſtern Carriers, and brought into* Reading.

V. *That the Inhabitants of the Town of* Reading *may not be prejudiced in their Eſtates or Perſons, either by Plundering or Impriſonment. And that they who will leave the Town, may have free Leave and Paſſage to go to what place they will with their Goods, within the ſpace of ſix Weeks after the Surrender of the ſaid Town.*

VI. *That the Gariſon of* Reading *ſhall quit the ſaid Town by Twelve of the Clock to morrow. That timely Notice ſhall be given to his Excellency when they begin to march, that a Guard may be provided for their Security. That at the time when the Gariſon begins to march out of the Port, towards* Cawſom-Bridge, *there ſhall be a Port open* Newbery *way, for my Lord General to paſs into the Town.*

Signed on behalf of the Gariſon, by

Richard Fielding.
John Bellaſis.
Richard Boll.
Edw. Villiers.
Anthony Thelwell.
Theophilus Gilby.
and
George Bond.

Accor-

19 *Caroli.*

Accordingly the next day the Garison marched out: But one of their Waggons was pillaged by *Essex*'s Men; and some of them had their *Hats* and *Swords* taken away, or exchanged, though General *Essex* was much offended, and in person beat and slasht the Soldiers for such their violating the Articles. But the occasion was alledged to have been given by the Garison themselves, who were discovered, amongst their Waggons, to have one, wherein was 140 Musquets; which being directly against the Articles, exasperated the Parliaments Soldiers; more especially because they were restrained from plundering the Town, which they were in expectation to have done, if they had carried it by Storm.

Fielding condemn'd for surrendring of *Reading*.

His Majesty was much incensed at Colonel *Fielding*, for this Surrender; who being called for the same, shortly after, before a Council of War at *Oxford*, was Sentenced to dye; but obtained a Repreive.

The Substance of the King's Proclamation of the 12th of *May*, touching the Articles of surrendring *Reading*.

Likewise His Majesty was offended at that Exception in the Third Article. For on the 18th of *April*, whil'st *Essex* lay before *Reading*, His Majesty published a Proclamation, declaring him, and all that adhered to him, guilty of High Treason: But withal, offering Free Pardon to all Officers and Soldiers that would Disband within six Days, and come in to His Majesties Lieutenant-General, or to the Governor of *Reading*. Now by the aforesaid Third Article, all such Persons as had left *Essex*'s Army, and betaken themselves to His Majesties Protection and Service in that Town, were excepted; and so upon the matter were again delivered up to those they had forsaken. Therefore His Majesty, by a Proclamation dated the 12th of *May*, Declares, 'That he was not privy to, or in the least degree consenting to that 'Exception; but holds the same most prejudicial to his *Service*, and de- 'rogatory from his *Honour*; And that he shall always choose to run 'any *Hazard* or Danger the Violence or Treason of his Enemies can 'threaten or bring upon him, rather than withdraw or deny his *Pro-* 'tection to any that shall return to their *Duty*. And does again assure all 'that shall within six days render themselves, That they shall receive all 'the Grace and Favour mentioned in the said Proclamation of the 18th 'of *April*: And that their former Errors shall never be remembred in 'the least degree to their Disadvantage.

Action between Major *Chudley* and Sir *Ralph Hopton*. *Apr.* 25. 1643.

There was for some time a Treaty, between those of *Devonshire* that sided with the Parliament, and Sir *Ralph Hopton* and other Gentlemen of *Cornwal*, who had put themselves into Arms for the King. But that Treaty not taking effect, and the Cessation between them being expired on the 22 of *April*; there were at the same time in the *North* of *Devonshire* certain Forces, about 1500 Foot and 200 Horse, under the immediate Command of Major-General *James Chudley*, Son to Sir *George Chudley*, (the Earl of *Stamford* being then sick of the Gout at *Exeter*) who having Intelligence, That the Town of *Lanceston* in *Cornwal* had but a slender Garison, no great Guns, and that their Ammunition was carrying away, *&c.* did enter *Cornwal*, beat the Centinels from *Polson-Bridge*, and approached near to the Town, which is naturally well fortified with a Hill, called the *Windmill*; on and near which Sir *Ralph Hopton*'s Forces lay, having made a kind of a Fort there. The Major gave them a Charge; but met with a more vigorous Resistance than he expected; and after several hours warm Dispute his Foot were forced to give ground, having no opportunity of bringing on his Horse to assist them, by reason of the many Hedges. Sir *Ralph*'s Forces seeing them shrink, stoutly pusht on their Success, and sent a Regiment of

An. 1643.

Foot, and three Troops of Horſe, to wheel about, and fall on their Rear, and take *Pulſon-Bridge* behind them. But this was prevented by the coming in of ſome broken Companies of Colonel *Merick*'s Regiment from *Plimouth*, under the Conduct of Lieutenant-Colonel *Calmady*; and 100 of Colonel *Northcot*'s Regiment, under the Command of Serjeant-Major *Fitch*; who ſecured the Bridge, over which the Major Retreated, and brought off his Ordnance, Ammunition, and Carriages, without any extraordinary Loſs, and lay that Night at *Liſton*, and the next Day marcht to *Okehampton*, where they lay as in Gariſon.

On Tueſday in the Afternoon they diſcovered Sir *Ralph Hopton*, with his whole Body, conſiſting of 500 Horſe and Dragoons, and about 4 Thouſand Foot, to be marching within three Miles of the Town.

Chudleigh had then with him but about 1000 Foot, and not above Sixſcore Horſe; and his Carriages were diſmiſs'd, as being unſerviceable, and no new ones as yet provided; ſo that he could not preſently Retreat without loſing his Artillery and Ammunition. Wherefore he reſolved with his Horſe to face the King's Forces, and to order the Foot to march to the Towns end, and favour, if need were, the Retreat of the Horſe; the utmoſt of his Deſign being but to Skirmiſh with the Forlorn Hope, and thereby, if he could, to put the Body to a Stand, that, Night coming on, they might be obliged to lye upon the *Down*, and in the mean time his Forces might provide Carriages, and get off. In order hereunto he drew his ſmall Number of Horſe into ſix Diviſions; and with them charged ſucceſſively on Sir *Ralph Hopton*'s Horſe, and through the Van of their Foot; which being diſordered, put the whole Body into Confuſion; took ſome few Priſoners, one Cornet, and three Foot Colours, *&c.* Fluſht with this Succeſs, he Commanded his Foot from the Towns end to the *Down*, but could not prevail with them to advance: Whereupon he gave them Order to leave their Matches burning on the *Fuzzes*; and himſelf, with a ſelect Party of his Horſe, ſtaying on the *Down*, beat back the Scouts, kept off the Intelligence, and, together with the lighted Matches on the Fuzzes, ſeeming like a Body of Foot ready to fall on, (the Night being dark and rainy) hinder'd Sir *Ralph*'s Forces from purſuing them. But the Night proving very tempeſtuous, with hideous Claps of Thunder, Sir *Ralph* drew off the *Down* in diſorder; leaving behind them divers Arms and ſome Ammunition, which *Chudleigh*'s Soldiers and the Country People the next day made Pillage of.

A Letter from the Lord *Fairfax*; touching the Action between him and the Army under the Command of the Earl of *Newcaſtle*, at *Wakefield*, *May* 21. 1643.

For my Honourable Friend *William Lenthall* Eſq; Speaker in the Commons Houſe of Parliament.

SIR,

Upon the Sixth of this Month I writ to you by a ſpecial Meſſenger, which I hope is come to your hands. Preſently after the Diſpatch of that Letter, the News was brought me, That the Earl of Newcaſtle *had poſſeſſed himſelf both of* Rotheram *and* Sheffeild. *The Forces in* Rotheram *held out two days Siege, and yeilded up the Town upon Treaty: Wherein it was agreed, That the Town ſhould not be Plundered; and that all the Gentlemen, Commanders and Soldiers, (ſix only excepted, that were eſpecially named) leaving their Arms, ſhould have free Liberty to go whither they pleaſed. But when the Enemy entred, contrary to their Articles, they have not only Plundered the Town, but have alſo made all the Commanders and Soldiers Priſoners; and do endeavour to conſtrain them to take up Arms on their Party. The Commanders at* Sheffeild *hearing of the Loſs of* Rotheram, *and ſeeing ſome of the*

Enemies

18 Caroli.

Enemies Forces advanced in View of the Town, they all presently deserted *the Place, as not* tenable *with so few against so potent an Army; and fled away with their Arms, some to* Chesterfield, *and some to* Manchester. *The Loss of these two places hath much elated the Enemy, and cast down the Spirits of the People in these Parts, who daily see the Enemy encrease in Power, and to gain Ground, and no Succours come to them from any part. The Earl of* Newcastle's *Army do now range over all the Southwest part of this Country; and the last Week there is a Garison of Horse and Foot laid at* Knaresborough, *where they begin to fortifie the Town. On Friday Sevennight last, three Troops, and some other Forces, of which many were* French, *came from that Garison, and pillaged* Otley; *and in their Retreat to* Knaresborough, *upon the open Forest, they took a Man and a Woman: the Man they wounded and beat cruelly; and before his face ravished the Woman. These particulars I repeat, That you may the more clearly discern the Miseries which this Country groans under. And here, about* Leeds, Bradford, *and* Hallifax, *being a mountainous barren Country, the People now begin to be sensible of Want; their last years Provisions being spent, and the Enemies Garisons stopping all Provisions both of Corn and Flesh, and other Necessaries that were wont to come from the more fruitful Countries to them; their Trade utterly taken away; their Poor grow innumerable, and great Scarcity of Means to relieve them. And this Army, which now lyes amongst them, to defend them from the Enemy, cannot defend them from Want; which causeth much Murmur and Lamentation amongst the People. And for the Army it self, it is so far in Arrears, and no way appearing how they shall either be supplied with Money or Succours, as they grow very mutinous. Yet upon Saturday last in the Night I caused to be driven out of the Garisons in* Leeds, Bradford, Hallifax, *and* Howley, *some Horse, Foot, and Dragooners, in all about* 1500 *Men, and sent them under my Son's Command against* Wakefield, *and assisted by Major-General* Gifford, *Sir* Henry Fowlis, *and Sir* William Fairfax, *with divers other Commanders. They appeared before* Wakefield *about Four a Clock on Sunday in the Morning, where they found the Enemy (who had Intelligence of their Design) ready to receive them. There was in the Town, General* Goring, *Serjeant Major, General* Mackworth, *the Lord* Goring; *with many other principal Commanders and eminent Persons, with about seven Troops of Horse, and six Regiments, containing* 3000 *Foot; the Town well fortified with Works and four Pieces of Ordnance: Yet our Men, both Commanders and Common Soldiers, went on with undaunted Courage, and notwithstanding the thick Volleys of small and great Shot, charged up to their Works, which they entred, seized upon their Ordnance, and turned them upon themselves, and pursued the Enemy so close, as they beat quite out of the Town the most part of the Horse, and a great number of the Foot, and made all the rest Prisoners; and with them took four Pieces of Ordnance, and all the Ammunition then in the Town, and a great number of Arms: Amongst the Prisoners, General* Goring *himself, with divers other Commanders and other Common Soldiers; in all about* 1500 *Men, and* 27 *Colours of Foot, three Cornets of Horse; of which I send a more particular List enclosed. The more exact and particular Relation of this Service, as it is testified to me under the Hands of the principal Commanders employed in that Design, I send you enclosed for your better Information; and truly for my part I do rather account it a* Miracle *than a* Victory; *and the Glory and Praise to be ascribed to God, that wrought it. In which I hope I derogate nothing from the Merits of the Commanders and Soldiers, who every Man in his Place and Duty shewed as much Courage and Resolution as could be expected from Men. When the Town was thus taken, they found their Number and Strength too weak to keep it and their Prisoners: So they left the Place, and march'd away with their Booty. In taking the Town, we lost no Man of Note, and not above seven Men in all; of which one was* Clerk of the Store, *and an Ensign of Foot, and one a Quartermaster of Horse; the rest Common Soldiers: But many of our Men were Shot and wounded. This Overthrow hath much enraged the Enemies, who threaten a present Revenge, and are drawing all their Forces this way, to effect it. I perceive there are Succours sent to* Lincolnshire, *and other adjacent Counties; which, if they were here, might be employed to as much advantage for the publick Safety, as in any place. I desire our Condition may be seriously thought on by the House, and the Aids, often promised, presently march away to us: And that Colonel* Cromwell, *with his Horse and Foot, may also be Ordered to march to me, that being joyned, I may be able to draw this Army into the Field, and gain fresh Quarters for the Soldiers, and furnish our selves with Powder, Arms, and Ammunition, which is now grown very scarce, and cannot be supplied until the Passage to* Hull *be forced open, which now is possessed by the Enemy. If such Succours come not timely to us, we can-*

An. 1643.

not long subsist, but must be forced to accept of Dishonourable Conditions, which besides the loss and ruine of this Country, will be a great disadvantage to the general Safety; and withal, some Course must be thought on to furnish some large proportion of Money to defray the Soldiers Arrears, which I beseech you endeavour for them and me, that am,

Your most Affectionate

Leeds, May 23. 1643.

Friend and Servant

Fer. Fairefax.

POSTSCRIPT.

I send you enclosed a Letter from the Lord Goring *to his Son General* Goring, *found in his Chamber at* Wakefield, *which will let the House see the Enemies great desire to have this Army ruined, that they might with their whole Force* March *Southwards.*

A Letter found in General *Goring*'s Chamber, which was sent to him by his Father the Lord *Goring*.

An Intercepted Letter from the Lord *Goring* to his Son, *April* 17. 1643.

GEORGE,

I Saw what you writ to Henry Jermine, *and find that the Business will be put on that way, but I am of Opinion, That your General will never Consent to, the latter way of dividing his Force, unless it be in the Country, where he will abide his Self. This will be Tryed to morrow at his return hither, where the Queen expects him; In the interim, if it were possible to give the Enemy any such Knock, or considerable Disturbance, to the Country about, which hath not yet felt the Misery of their Neighbours, I would not doubt but the Treaty might be resumed again, by which Means, and no other, your Army may be set at liberty, to change your Stations, and do something that may be of Consequence indeed. I pray you think seriously hereof; and once in your life follow the Advice of your best Friend, and dearly loving Father,*

April 17. 1643. Goring.

After I had Sealed my Letter, I was advised to Advertise you, That the Lord Fairfax *never believed you would look into the Parts, where now you are, but intended to draw back to the place from whence you came, which made him so lofty in his Conditions; wherefore if you can (as my Authors propose) get between* Bradford *and* Leeds, *you will so annoy, divert, and separate them in all their Designs, as you may be sure to carry* Hallifax *and* Bradford *on this Hand, or* Leeds *on the other: Take this to Heart, and let General* King, *with my humble Service, know this much, not as new to him, and the rest of you, but as that which all the wisest, and most knowing Men in the Country, Advise and Hope. This will so hare them, and satisfie this Country; and will give such other Advantages, as will render us Happy and Glorious too; Whereas on the contrary, all will fall flat both in Power and Reputation, past Expression; And Her Majesty either unprovided of such a Convoy from thence, as is fit for Her, and the Kings present Occasions; or else leave this Country naked to the Tyranny of the mercilesse Enemy, contrary to Contract, and all due Justice; This is the Opinion of others, far better able to Advise, than he that so heartily Prays for you, and is,*

Cudgel them to a Treaty,
and then let us alone
with the rest.

Yours,

York, April 17. 1643. Goring.

A Letter from Sir *Tho. Fairfax* and other Commanders touching the taking of *Wakefield.*

SAturday Night the 20th of May, *the Lord General gave Order for a Party of* 1000 *Foot,* 3 *Companies of Dragooners, and* 8 *Troops of Horse, to march from the Garisons of* Leeds, Bradford, Hallifax, *and* Howley. *Sir* Thomas Fairfax *Com-*

19 Caroli.

Commanded in Chief; The Foot were Commanded by Serjeant Major-General Gifford, *and Sir* William Fairfax; *And the other four Troops by Sir* Henry Foulis. Howley *was the Rendezvous, where they all met on* Saturday *laſt, about Twelve a Clock at Night; About two next Morning they march'd away, and coming to* Stanley, *where two of the Enemies Troops lay with ſome Dragooners, that Quarter was beaten up, and about* 21 *Priſoners taken. About four a Clock in the Morning we came before* Wakefield, *where after ſome of their Horſe were beaten into the Town, the Foot with unſpeakable Courage, beat the Enemy from the Hedges, which they had lined with Muſqueteers, into the Town, and Aſſaulted it in two places,* Wrengate *and* Norgate, *and after an hour and a half fight, we recovered one of their Pieces, and turned it upon them, and entred the Town at both places, at one and the ſame time, when the Barricadoes were opened. Sir* Thomas Fairfax, *with the Horſe, fell into the Town, and cleared the Street, where Colonel* Goring *was taken by Lieutenant* Alured, *Brother to Captain* Alured, *a Member of the Houſe; yet in the Market place there ſtood* 3 *Troops of Horſe, and Colonel* Lambton's *Regiment, to whom Major General* Gifford *ſent a Trumpet, with offer of Quarter, if they would lay down their Arms, they Anſwered, They ſcorned the Motion; then he fired a piece of their own Ordnance upon them, and the Horſe fell in upon them, beat them out of Town, and took all theſe Officers in the incloſed Liſt,* 27 *Colours of Foot,* 3 *Cornets of Horſe, and about* 1500 *common Soldiers. The Enemy had in the Town* 3000 *Foot,* 7 *Troops of Horſe, beſides Colonel* Lambton's *Regiment, which came into the Town after we had entred the Town. The Enemy left behind them four Pieces of Ordnance, with Ammunition, which we brought away.*

Thomas Fairfax.
Henry Foulis.
John Gifford.
William Fairfax.
John Holman.
Robert Foulis.
Titus Leighton.
Francis Talbot.

Priſoners taken at *Wakefield*, May 21.

General Goring.
Sir Thomas Bland, *Lieutenant Colonel to Sir* George Wentworth.
Lieutenant Colonel St. George.
Lieutenant Colonel Macmoyler.
Serjeant Major Carr.
Captain Carr.
Captain Knight.
Captain Wildbore.
Captain Rueſton.
Captain Pemberton.
Captain Croſt.
Captain Ledgard.
Captain Laſhley.
Captain Kayley.
Captain Nutall.
Captain Lieutenant Benſon.
Serjeant Major Carnaby, *and Captain* Nutall, *left wounded in* Wakefield, *upon their Engagements to be true Priſoners.*

Lieutenant Munckton.
Lieutenant Thomas.
Lieutenant Wheatly.
Lieutenant Kent.
Lieutenant Nicholſon.

Enſign Squire.
Enſign Vavaſor.
Enſign Maskew.
Enſign Lambton.
Enſign Ducket.
Enſign Stockhald.
Enſign Baldwinſon.
Enſign Davis.
Enſign Carr.
Enſign Gibſon.
Enſign Smathweight.
Enſign Ballinſon.
Enſign Watſon.
Enſign Smelt.
Enſign Halliburton.

The Earl of *Stamford* defeated at *Stratton*, May 16.

The Earl of *Stamford* (the Parliaments General in the Weſt) being at *Stratton* on the edge of *Cornwall*, and his Lieutenant General Sir *George Chudleigh* gone into *Cornwall* with 600 of his Horſe, Sir *Ralph Hopton* beat up his Quarters, Routed and cut off the Van of his Army, took ſeveral Hundreds Priſoners, with Thirteen Braſs Pieces of Ordnance, a great quantity of Powder, and other Proviſions; for which Service, (highly advantageous to the Kings Intereſt in the Weſt) Sir *Ralph* was ſome time after (*viz.* on the fourth of *September* 1643) Created Lord *Hopton* of *Stratton*. Amongſt the reſt of thoſe here taken Priſoners was *Stamford*'s

An. 1643. Major General *Chudleigh* joins with the King's Party.

Stamford's Major-General *Chudleigh* (Sir *George*'s Son.) But by Letters afterwards Intercepted to his Father, it appear'd to have been Deſign'd by him; whereupon his Father, to prevent any Suſpitions on himſelf, ſurrendred his Commiſſion. And ſhortly after Publiſh'd the following Paper in *Devon*-ſhire.

The Declaration of Sir *George Chudleigh*, Baronet.

Sir *George Chudleigh*'s Declaration, *May* 1643.

THE Ancient (if not the Prime) Fabrick of this famous Kingdom, to be raiſed upon theſe Three main Pillars; the Royal Sovereignty, and the Two Houſes of Parliament is ſo well known, as it needs no Declaration; as the proportionable Structure and diſpoſition of theſe Three doth promiſe to the Eye of Reaſon and ſound Policy, nothing but Uniformity, Strength, and Beauty; ſo the experience of all Ages hath conſtantly taught us, That the Unity and Correſpondency of theſe fundamental Pieces, has been the ſupport, Preſervation, and Happineſs of the whole; and no leſs apparent is it, That their Disjunction and Separation muſt be their total Ruine and Deſtruction. The King hath Royal Prerogatives undeniable; without which he cannot govern as a King: The Two Houſes of Parliament have their peculiar Privileges, wherein every Subject hath his Intereſt; the end of all is, That by a meet Temper of their ſeveral Rights, a juſt frame of Government may ariſe for the common good, which may reſtrain all exorbitant affections and attempts, if any happen in either part: Now theſe Prerogatives of the King, and Privileges of the Subject, though they have diſtinct Operations, yet they are of ſo near conjunction, as differences do ſometimes ariſe to interrupt their motion, much like the Wheels of a Clock or Watch, ſo depending upon each other, as the ſmalleſt Mote or Hair may beget a ſtop and diſorder; the greater care ſhould be had in the keeping; but Differences do ſometimes ariſe, though never (as I ſuppoſe) aggravated to that extremity as now: Petitions of Right are commendable, Remonſtrances not unlawful; but Arms, though Defenſive, ſeem doubtful. My Lot fell to be caſt on the Parliaments ſide, by a ſtrong opinion I had of the goodneſs of their Cauſe, and the Royal Service I ſhould do His Majeſty, in defending that his High Court from the manifeſt Enemies, that then to my Judgment appeared againſt it: Religion and the Subjects lawful Rights ſeemed in danger, and the general Intereſt called for the common Care to preſerve it; but I believe it hath gone too far, the deſtruction of a Kingdom cannot be the way to ſave it, the loſs of Chriſtian Subjects, the Subjects loſs of their Eſtates, by a double Plunder or Aſſeſſment, concurs not with Piety, nor yet with Propriety. Touching Religion, which is the chief, (and, I confeſs, in great danger) His Majeſty (whom God long preſerve) hath given us unqueſtionable ſecurity, during his own time; for the reſt, the Lord of Hoſts with me hath determined the Controverſie, having done my utmoſt faithfully, according to my former Proteſtation, I have thrown my ſelf at my Sovereign's Feet, and embraced His gracious Pardon: I will contend no more in Word or Deed. And this my reſolution, with the indiſputable Grounds thereof, I thought fit to declare to my Friends and Country-men, that they may underſtand my ſitting down to proceed from no Compulſion, but the neceſſity I conceive there is of ceaſing this deſtructive War, unleſs we would become the wilful Authors of the Calamities we would decline. This may ſuffice for this time, making my Prayer according to my Hopes for ſpeedy Peace: But if the War ſhall continue (which God forbid) I may happily take up ſome further Determinations.

Upon the before-mentioned Defeat at *Stratton*, the Earl of *Stamford* retreated by *Barnſtaple* to *Exeter*, where the aforeſaid young Mr. *Chudleigh* having then openly declared himſelf for the King, Belieged him; and ſoon after came up Prince *Maurice* with a ſtrong Force, and Commanded at the Siege in Chief. The Citizens were for the greateſt part Adverſe to the Parliament; and the Earl having held it out 8 Months and 19 days, his Ammunition then failing, and no hopes of Relief appearing, he Surrendred it upon the following Articles.

Articles

19 Caroli.

Articles between His Excellency Prince *Maurice* and the Earl of *Stamford*, upon the Delivery of the City of *Exeter*, *Sept.* 5. 1643.

Maurice,

The Articles on which *Exeter* was Surrendred to Prince *Maurice*, *Sept.* 25. 1643.

I. *IT is concluded and agreed on, That the City and Caſtle of* Exon *be Surrendred into the hands of His Highneſs Prince* Maurice, *with all Arms, Enſigns, Ordnance, Ammunition, and all other Warlike Proviſions whatſoever, within the ſaid City and Caſtle.*

II. *That the Right Honourable* Henry *Earl of* Stamford, *together with all Officers above the degree of Lieutenants, both of Horſe and Foot, now within and about this City and Caſtle, do March out of this City and Caſtle, on* Thurſday *the* 7th *of this Month, by Nine of the Clock in the Morning, with their Troops of Horſe, full Arms, Bag and Baggage, provided it be their own Goods: And that the Lieutenants and Enſigns March out with their Swords at the* Eaſt-*Gate*; *and that the Foot Soldiers March out at the ſame time, leaving their Arms at the* Guild-Hall: *All having a ſafe Convoy to* Windſor, *or to go elſewhere if they pleaſe*; *and ſuch as will ſtay ſhall have Pay in the King's Army.*

III. *That there be Carriages allowed and provided to carry away their Bag and Baggage, and Sick and hurt Soldiers*; *and that an eſpecial Care be taken of ſuch Officers and Soldiers as* (*being Sick and Wounded*) *ſhall be by the Earl of* Stamford *left behind in the ſaid City*; *and that, upon their Recovery, they ſhall have Paſſes to depart to their own Homes reſpectively.*

IV. *That the King's Forces March not into the City till the Parliaments Forces are March'd out, except an Hundred Muſqueteers at the* Eaſt-*Port, through which they paſs.*

V. *That His Highneſs ſhall forthwith procure a free and general Pardon unto* Henry *Earl of* Stamford, *Sir* George Chidleigh, *Sir* John Bampfield, *Sir* John Northcot, *Baronets*; *Sir* Samuel Roberts, *and Sir* Nicholas Martin, *Knights*; *and unto the Mayor, Bayliffs, and Commonalty of the City of* Exon, *and to all other Perſons of what Degree, Condition, or Quality ſoever, now being within the ſaid City of* Exon, *for all Treaſons and other Offences whatſoever, committed by them, or any of them, ſince the beginning of this preſent Parliament, relating to theſe unhappy Differences, between His Majeſty, and the Two Houſes of Parliament*; *and that all, or any of them, ſhall have his particular Pardon for the aforſaid Offences or Treaſons, if he ſhall Sue forth the ſame.*

VI. *That the true* Proteſtant *Religion, now eſtabliſhed by Law, ſhall be preſerved and exerciſed in the City.*

VII. *That all Perſons Citizens, and Inhabitants may at any time depart with their Families, Goods, and Eſtates, unto any part of this Kingdom*; *and that they, and every of them, ſhall have power to Diſpoſe, Sell, or Alien, either by themſelves or others, whatſoever Goods, or parts of their Eſtates they ſhall not convey or carry with them.*

VIII. *That all Perſons, now in this City, may have free Liberty to repair to their Houſes in the Country or elſewhere, and there to remain in ſafety, and enjoy their Eſtates, Lands, Rents, and Goods, without Plundring, Fine, or Impriſonment, or any other Moleſtation, and may Travel to and fro, without any interruption*; *hindrance, or denial.*

IX. *That all Miniſters and Preachers of God's Word, now within this City, ſhall have free liberty either to ſtay here or go to their own Houſes, Cures or Charges, or elſewhere within his Majeſties Dominions, with their Wives, Children, Familics and Goods, there to abide Peaceably, and to exerciſe their Miniſterial Functions, and to enjoy their Eſtates according to the Laws of the Land.*

X. *That all the Charters, Liberties, Privileges, and Franchiſes, Lands, Eſtates, Goods, and Debts of the ſaid City, ſhall be preſerved and confirmed: And that the ancient Government and the preſent Governors and Officers may remain and continue in their former condition.*

XI. *That no new Oath or Proteſtation be enforced upon any, nor any compel'd to take up Arms againſt the Parliament.*

XII. *That for avoiding Inconveniences and Diſtractions, the Quartering of Soldiers be referred to the Mayor and Governor of the City for the time being.*

XIII. *That all theſe Articles which are now agreed upon, ſhall be Ratified and Confirmed by His Majeſty, under the great Seal of* England.

XIV. *That*

An. 1642.

XIV. *That the Officers and Soldiers, in their Marching out, ſhall not be Reproached, or have any diſgraceful Speeches or Affronts offered or given unto them by any Officer or Soldier of the Kings: And that the Convoy appointed to March with them, may go and return ſafely, without any violence or wrong offered unto them, by any Forces of the Adverſe Party.*

Stamford. Chr. Clark, *Mayor.*
Rich. Cave. Joſ. Bamfield.

The *Fifth Article* was much diſguſted by many of the Two Houſes; and there was diſcourſe of calling the Earl of *Stamford* in queſtion, for admitting thereof, and for his whole Conduct in this Service, but nothing came of it.

June 18. 1643. *Chalgrave Field* and *Hampden* ſlain.

Prince *Rupert*, with a ſtrong Party, frequently beat up the Parliaments Quarters, as at *Poſtcomb* and *Chinner* in *Oxford*-ſhire; and ſometimes made Incurſions into *Buckingham*-ſhire, whoſe Forces were drawn together in *Chalgrave*-Field to reſiſt him; but on the 18*th* of *June* the Prince Engaged them, and put them to the Rout, took Captain *Sheffield*, and many other Priſoners; Major *Gunter* was ſhot dead upon the place, and Mr. *Hampden* (one of the Five Members) who would needs go out with this Party, contrary to the Advice of his Friends, being not ordered to it, was Wounded and Dyed thereof, *June* 24. his Death much lamented by the Parliament Party.

The Queen's Marches from *York*.

Her Majeſty, after her Arrival from *Holland*, having lain ſome time at *York*, and from thence ſent a quantity of Arms and Ammunition to His Majeſty at *Oxford*, under a Convoy of 1500 Men, went firſt to *Pomfret*, and thence to *Newark* on the 16*th* of *June*, where ſhe Quartered near a Fortnight: And touching Her March from thence, and what Strength She had then with Her, there cannot be a better Account given, than what Her Majeſty Her ſelf ſent to the King in Her Letter, dated *June* the 27th, in theſe words:

My Dear Heart!

Some paſſages out of a Letter from the Qu. to the King, from *Newark*, *June* 27.

I *Received juſt now your Letter by my Lord* Savile, *who found me ready to go away, ſtaying but for one thing for which you will pardon Two days ſtop: It is to have* Hull *and* Lincoln. *Young* Hotham *having been put in Priſon, by Order of Parliament is eſcaped, and hath ſent to* 260. *that he would caſt himſelf into his Arms; and that* Hull *and* Lincoln *ſhould be rendred: he is gone to his Father, and* 260 *waits for the Anſwer; ſo that I think I ſhall go hence,* Friday *or* Saturday, *and ſhall go lye at* Werton; *and from thence to* Aſhby, *where we will reſolve what way to take, and I will ſtay there a day, becauſe the March of the day before, will have been ſomewhat* Great, *and alſo to know how the Enemy Marches: All their Forces of* Nottingham, *at preſent, being gone to* Leiceſter *and* Derby, *which makes us believe, That it is to intercept our Paſſage: As ſoon as we have reſolved I will ſend you word. At this preſent I think it fit to let you know the ſtate in which we March, and what I leave behind me for the ſafety of* Lincoln-ſhire *and* Nottingham-ſhire; *I leave* 2000 *Foot, and wherewithal to Arm* 500 *more; Twenty Companies of Horſe; all this to be under* Charles Cavendiſh, *whom the Gentlemen of the Country have, againſt his Will, deſired me not to carry with me, for he deſired extremely to go. The Enemies have left within* Nottingham 1000. *I carry with me* 3000 *Foot,* 30 *Companies of Horſe and Dragoons, Six Pieces of Cannon and Two Mortars.* Harry Germin *Commands the Forces which go with me, as Colonel of my Guard; and Sir* Alexander Leſly *the Foot, under him; and* Gerard *the Horſe; and* Robin Legg *the Artillery; and Her* She-Majeſty, Generaliſſimo, *and extremely diligent, with* 150 *Waggons of Baggage, to Govern, in caſe of a Battel: Have a Care that no Troops of* Eſſex's *Army incommodate us; for, I hope, that for the reſt we ſhall be ſtrong enough.*

In

In this March, *July* the 2*d*, Her Majesty took *Burton* upon *Trent*; and, on the 11*th* of *July*, Prince *Rupert* met Her at *Stratford* upon *Avon*. And on *Thursday* the 13*th* of *July* His Majesty, being advertiz'd of Her near approach, went forth with the Prince of *Wales*, the Duke of *York*, His Life-Guard, and some Troops of Horse to receive Her; and near *Edge-Hill* they met, and lay that Night at Sir *Thomas Pope*'s House at *Wroxon*, and the next Morning went to *Woodstock*: Her Majesty having been absent from the King, ever since the 23*d* of *February*, 164½.

19 *Caroli*. *Burton* upon *Trent* taken by the Queen. King and Queen meet at *Edgehill*, *July* 13. 1643.

In the mean time Sir *John Hotham*, and his Son, were discovered to hold Correspondence with the Royal Party. Upon what ground of Discontent, or proffered Hopes, they entertained thoughts of deserting the Parliament, in whose Service they had so far engaged, is hard to determine. Some differences there had happened between Sir *John* and the Lord *Fairfax*, to whom Sir *John* was unwilling to submit, though he were the Parliaments General in those Parts: And some said, That the Parliament hearing of this Contest, intended to displace *Hotham*, which he having discovered by intercepted Letters, began to have new designs. I have been informed, by a Gentleman that was Sir *John Hotham*'s Secretary at that time, of another ground of dissatisfaction between them, *viz.* "That about Three Weeks be-"fore the Fight at *Edge-Hill*, Sir *John Hotham* sent a Letter to the "Speaker of the House of Commons, another to the Earl of *Nor-*"*thumberland*, and a third to the Earl of *Holland*; the subject-matter "of all Three, being earnest Arguments to perswade them to use "their Endeavours and improve their Interest to induce the Parlia-"ment to an Accommodation with the King, before matters came to "extremity: For if the Sword were once drawn, it would be with us "as it was with the *Romans* in the time of *Cæsar* and *Pompey*, when "'twas said, *Whoever had the better, the* Roman *Liberty was sure to have* "*the worst*; And that these Letters begot an ill Opinion of Sir *John* "amongst some powerful Members; and that there having been a "Treaty, and some Letters passed between the Earl of *Newcastle* and "Sir *John*: The Earl sent to *Ferdinando*, Lord *Fairfax*, to let him "know, That if he would send to him a Person he could confide in, "he would advertise him of some things worth his notice; upon "which Colonel *John Allured* was sent, to whom Copies were given "of some Letters written by Sir *John*, which were communicated to "those that bore him ill Will in the House of Commons; upon which "Jealousies were much increased against him.

Sir *John Hotham* suspected by the Parliament, *June* 1643.

This is the Account given by Sir *John Hotham*'s Secretary, who is yet living. But whatever might be the inducements, so it was, That about the middle of *June*, Sir *John Meldrum* seized Captain *John Hotham* (Sir *John*'s Son) in his Bed, and sent him Prisoner to *Nottingham*-Castle, from whence he found means to escape, and went to *Lincoln*; And sent a Letter thence dated *June* the 24*th* to the Parliament, complaining of his Imprisonment; and that he was ready to Answer what should be objected against him. But soon after went to his Father to *Hull*, which giving the Parliament fresh occasion of Jealousie, order was given to Sir *Matthew Boynton* to have an Eye upon them, and to endeavour to preserve the Town, if he perceived it in danger, and Sir *Matthew* being Sir *John Hotham*'s Brother in Law, was the less mistrusted by him.

Capt. *Hotham* Imprisoned.

On *Wednesday* the 28*th* of *June*, a Letter was sent from Captain *Moyer*, (Commander of the *Hercules*, a Man of War that lay in the

An. 1643. Road) to one Mr. *Robert Ripley* in *Hull*, praying him to acquaint the Mayor, That there was a dangerous Plot on foot againſt that Town, from the Treachery of Sir *John Hotham*, the Governour, which would that Night, or the next, be put in Execution, if not prevented. *Ripley* preſently acquainted the Mayor, who communicated it about Ten a Clock at Night to ſome Aldermen, and to Sir *Matthew Boynton*, and other Gentlemen; but the latter would not be ſeen to act, and therefore left it wholly to the Townſmen; only gave them their Advice and Approbation, and did order, That private Notice ſhould be given to ſuch as were moſt zealous for the Parliament; ſo that by Three or Four a Clock in the Morning there were about 1500 Men in readineſs, expecting the Word of Command from the Mayor; and then

Hull ſecured.

'every Man armed, with his Muſquet charged and Match lighted, 'came forth and drew up in ſeveral Bodies; ſeized firſt upon the Com-'manders and the Main Guard, next upon all that had any Relation 'to the Governour, and particularly on Captain *Hotham*; then on the 'Magazine, and all the Ordnance on the Walls, and the Guards at 'the Gates, and the three Blockhouſes, and the Caſtle; ſo that the 'whole Town, and all that belonged to it, was in leſs than about 'an hours time ſecured, without one drop of Blood, or ſo much as a 'Muſquet diſcharged. Sir *John*, having then notice of what was done, got out of his Houſe, and meeting a Man riding into the Town, made him alight, and mounted his Horſe, and ſo paſſed through *Beverly-Gate*, the Guard having yet no Order to ſtop him. But his Purſuers immediately coming thither, and ſeeing him gone, one from the Walls ſhot a Muſquet, and a Gunner diſcharged a Piece of Ordnance at him. Fearing a Purſuit, he quitted *Beverly* Road, and turned down to a Ferry, intending to have got over into *Holderneſs*; but there miſſing of a Boat, was forced to ride on to *Beverly*, whither Sir *Matthew Boynton*'s Man was now got before him, with a Letter to his Son, Colonel *Boynton*, acquainting him with the Plot, and Order to Apprehend Sir *John Hotham*, if he came there, and alſo Sir *Edward Rodes*, who had a Company there, and was ſuſpected of a Deſign to yield up that Town too, but nothing proved againſt him. Sir *John Hotham* ſoon after coming into *Beverly*, Colonel *Boynton* took his Horſe by the Bridle, and told him he was his Priſoner: And preſently Sir *Edward Rodes* was ſeized, and both ſent to *Hull*, and put on Board the Ship *Hercules*, which ſoon after conveyed them, and Captain *John Hotham*, to *London*, where they arrived *July* 15. and were Committed to the Tower.

Sir *John Hotham* ſeized, *June* 29.

Sir *John Hotham* had fortified his Houſe at *Scarborough*, and put a Gariſon in it, which now by the Mayor of *Hull*, &c. were ordered to go to *Beverly*, to help ſecure that Town: And the next day after this ſeizing of *Hotham* and Sir *Edward Rodes*, a Party of the King's Forces came up to *Beverly*; but finding a Stout Reſiſtance, they retired.

The Parliament having received an Account of theſe Tranſactions at *Hull*, paſſed the following Declaration.

A Declaration of the 2 Houſes to indemnifie the Mayor of *Hull* and others, upon their ſeizing Sir *John Hotham*, paſſed *July* 10.

WHereas Thomas Raikes, *Mayor of* Hull, *Sir* Matthew Boynton, *Knight and Baronet*, Sir William St. Quintin *Baronet*, *Sir* Richard Darly *Knight*, *Sir* John Bourcher *and Sir* William Aliſon *Knights*, Lancelot Roper, Nicholas Denman, John Barnard, *and* William Pople, *Aldermen*, John Penroſe *Gentleman*, *and* Robert Johnſon *Clerk*, *having received Information, That there was a Deſign for the betraying of the Town of* Hull, *which in their Opinion could not be prevented*,

19 Caroli.

vented, but by a ſpeedy ſeizing of the Blockhouſes and other places of Strength in the Town; as alſo of the Perſons of Sir John Hotham, *Sir* Edward Rodes, *and Captain* Hotham. *And whereas accordingly they, with others, ſeized on the ſaid places of ſtrength, for the Preſervation of the ſaid Town, and alſo of the Perſons of Sir* John Hotham, *Sir* Edward Rodes, *and Captain* Hotham, *to be in ſafe Cuſtody, until farther Directions from the Parliament. And whereas the ſaid Mayor of* Hull, *Sir* Matthew Boynton, *and the reſt of the Perſons firſt above-named, did iſſue out their Warrants and Directions, commanding Captain* Scarth *to march from* Scarborough, *with his Soldiers, Arms, and Ammunition he had there, to* Beverly, *for the Defence of that place; and the Goods there of Conſequence, to be preſerved in* Beverly, *till farther Directions from the Parliament. And whereas they did iſſue out their Warrants and Directions unto divers other Captains, to march with their Soldiers from* Hull *to* Beverly, *for the Defence of that place: The Lords and Commons do Declare, That it was an acceptable Service to the Kingdom and Parliament, which the ſaid Mayor of* Hull, *Sir* Matthew Boynton, *and the reſt of the Gentlemen above-named, and all others, have done herein: And that the Lords and Commons will keep them, and all others that have aſſiſted them therein, indemnified and ſaved harmleſs.*

An Inſurrection in *Kent*, and Skirmiſh at *Tunbridge*, *July* 21. 1643.

Mr. *Grimes*, Miniſter of *Ightam* in *Kent*, refuſing either himſelf to take the late *Vow* or Covenant, (framed on the Diſcovery of the Deſign of Mr. *Tompkins*, *Challoner*, &c. at *London*) or to tender the ſame to his Pariſhioners, according to the Order of both Houſes; a Party of Horſe was ſent to apprehend and bring him up to the Parliament. Whereupon ſeveral Perſons of that Town, and the places adjacent, gathered together with Halberts, Swords, and Staves, and would have reſcued him; which though they could not effect, yet being thus up in a Tumult, many others reſorted to them; and at the Town of *Sevenoak* they encreaſed their Number to almoſt 2000. The Parliament ſent down Sir *Henry Vane* the elder, to endeavour to appeaſe them, and a Declaration, *That if they would quietly depart to their own Houſes, and reſtore what Arms they had taken from others, they ſhould be received to Favour and Protection; and the Parliament would redreſs their juſt Grievances.* But this being refuſed, the two Houſes ſent down Colonel *Richard Brown*, with two Regiments of Foot and a Regiment of Dragoons, and ſome Troops of Horſe, who drove them from *Sevenoak* to *Tunbridge*; where a Party of them having pulled down *Hilden-Bridge*, about a quarter of a Mile off the Town, did from the Hill beyond it make a ſtout Oppoſition for ſome time; and when *Brown* had got his Foot over the River, retreated to the Town, where they renewed the Skirmiſh, and killed ſeven of his Men; whereof one an Enſign of Captain *Ro'es* (a Man of great Courage, and who foretold he ſhould that day be ſlain.) But at laſt they were forced to flie, divers of them ſlain, about 200 taken Priſoners, and the Town plundered.

Sunday *July* 2. an Attempt upon *Lincoln*.

At this time alſo was diſcovered a Deſign to deliver up the City of *Lincoln*, which was then in the Parliaments hands: For effecting whereof 2000 of the Queens Forces were ſent from *Newark* to the Walls of *Lincoln*, expecting to be let in at an hour appointed, by the means of Serjeant-Major *Purefoy*, and his Brother Captain *Purefoy*; who in order thereunto had a day or two before admitted into the Town about Threeſcore Cavaliers, in Diſguiſe like Country Market-Folks, who were cloſely ſheltered in the Dean's Houſe. And though, upon ſome private Intimation from the Mayor of *Hull*, the two *Purefoyes* were ſeized, yet theſe Gentlemen ſallied out into the Town, endeavouring to ſecure the Magazine and Courts of Guard, and did ſome Execution: But by the Diſcharge of a Cannon by a Countryman, that never diſcharged a Piece before in his life, ſeveral of them being ſlain, they were ſuppreſſed, and the Forces without, finding their Deſign fruſtrated, retreated.

An. 1642. *Gainsborough* taken in *July*.

Not long after this, the Lord *Willoughby* of *Parham*, with a Party of Horſe and Dragoons, advanced to the Town of *Gainsborough* in the ſaid County of *Lincoln*, and after a deſperate Aſſault, became Maſters thereof, and took Priſoners, the Earl of *Kingſton*, Sir *Gervais Scroop*, and ſeveral other Gentlemen and Officers, and about 250 common Soldiers, and Releaſed near 200 Priſoners, many of them belonging to my Lord *Fairfax*, and great ſtore of Treaſure in the Earls Houſe, which held out a whole day after the Town was taken. The Lord *Willoughby* underſtanding that the Kings Forces from *Newark*, and other places, were gathering together to regain the Town, ſent away the Earl of *Kingſton* in a Pinnace to *Hull*, which in its paſſage being eſpied by a Party of the Kings Forces, they drew up ſome Muſqueteers to the *Trent* ſide, and diſcharged at her, and unhappily kill'd the Earl, and his Man *Savile* in their Cabbin; but the Pinnace got clear, and paſſed on to *Hull*. The better to ſecure *Gainsborough* in the Parliaments Hands, *Cromwel* drew that way, touching whoſe Proceedings take this Letter under his own Hand.

The Earl of *Kingſton* kill'd.

A Letter Written by Colonel *Cromwel* to the Committee for the Aſſociation ſitting at *Cambridge*.

July 31. 1643.

Gentlemen,

Action at *Gainsborough*, *July* 30. 1643.

IT hath pleaſed the Lord to give your Servant and Soldiers a notable Victory now at Gainsborow. *I marched after the taking of* Burley-*Houſe, upon* Wedneſday, *to* Grantham, *where I met about* 300 *Horſe and Dragooners of* Nottingham; *with theſe by Agreement with the* Lincolneers, *we met at* North-Scarle, *which is about Ten Miles from* Gainsborow, *upon* Thurſday *in the Evening, where we tarried until two of the Clock in the Morning, and then with our whole Body advanced towards* Gainsborow; *About a Mile and a half from the Town, we met a* Forlorn-Hope *of the Enemy of near* 100 *Horſe, our Dragooners laboured to beat them back, but not alighting off their Horſes, the Enemy charged them, and made them retire unto their main Body: We advanced and came to the bottom of a ſteep Hill, we could not well get up but by ſome Tracts, which our Men aſſaying to do, the Body of the Enemy endeavoured to hinder, wherein we prevailed, and got the top of the Hill; This was done by the* Lincolneers, *who had the Vanguard; when we all recovered the top of the Hill, we ſaw a great Body of the Enemies Horſe facing of us, at about a Muskets ſhot, or leſs diſtance, and a good Reſerve of a full Regiment of Horſe behind it: We endeavoured to put our Men into as good Order as we could, the Enemy in the mean time advanced towards us, to take us at diſadvantage, but in ſuch Order as we were, we charged their great Body; I having the Right Wing, we came up Horſe to Horſe, where we diſputed it with our Swords and Piſtols a pretty time, all keeping cloſe Order, ſo that one could not break the other; at laſt they a little ſhrinking, our Men perceiving it, preſſed in upon them, and immediately routed this whole Body, ſome flying on one ſide, and others on the other of the Enemies Reſerve; and our Men purſuing them, had Chaſe and Execution about five or ſix Miles; I perceiving this Body, which was the Reſerve ſtanding ſtill unbroken, kept back my Major* Whaley *from the Chaſe, and with my own Troop, and the other of my Regiment, in all being three Troops, we got into a Body: In this Reſerve ſtood General* Cavendiſh, *who one while faced me, another while faced four of the* Lincoln *Troops, which was all of ours that ſtood upon the place, the reſt being engaged in the Chaſe; At laſt General* Cavendiſh *charged the* Lincolneers *and routed them; immediately I fell on his Rear with my three Troops, which did ſo aſtoniſh him, that he gave over the Chaſe, and would fain have delivered himſelf from me, but I preſſing on, forced down a Hill, having good Execution of them, and below the Hill drove the General with ſome of his Soldiers into a Quagmire, where my Captain Lieutenant ſlew him, with a thruſt under his ſhort Ribs, the reſt of the Body was wholly routed, not one Man ſtaying upon the place.*

Charles Cavendiſh (the Earl of Devonſhires Son) a Gallant Gentleman, ſlain.

After the Defeat, which was ſo total, we relieved the Town with ſuch Powder and Proviſion which we brought with us; We had notice that there were Six Troops of Horſe

Gainsborough Releived.

and

19 Caroli.

and 300 *Foot on the other ſide of the Town, about a Mile off us. We deſired ſome Foot of my Lord* Willoughby's, *about* 400. *And with our Horſe, and their Foot, marched towards them: When we came towards the place where their Horſe ſtood, we went back with my Troops to follow two or three Troops of the Enemies, who retired into a ſmall Village at the bottom of the Hill; when we recovered the Hill, we ſaw in the bottom, about a quarter of a Mile from us, a Regiment of Foot, after that another, after that the Marqueſs of* Newcaſtle's *own Regiment, conſiſting in all of about* 50 *Foot Colours, and a great Body of Horſe, which indeed was* Newcaſtle's Army, *which coming ſo unexpectedly, put us to new Conſultations: My Lord* Willoughby *and I being in the Town, agreed to call off our Foot: I went to bring them off, but before I returned, divers of the Foot were ingaged, the Enemy advancing with his whole Body: Our Foot retreated in diſorder, and with ſome loſs got the Town, where now they are: Our Horſe alſo came off with ſome trouble, being wearied with the long fight, and their Horſes tired, yet faced the Enemies freſh Horſe, and, by ſeveral removes, got off, without the loſs of one Man: The Enemy following the Rear with a great Body: The Honour of this Retreat is due to* God, *as alſo all the reſt. Major* Whaley *did in this carry himſelf with all Gallantry becoming a Gentleman and a Chriſtian. Thus have you this true Relation, as ſhort as I could; what you are to do upon it, is next to be conſidered: The Lord direct you what to do.*

Gentlemen, I am,
Your Faithful Servant,
Oliver Cromwel.

Huntingdon, July, 31. 1643.

The Earl of *Newcaſtle,* on the 22 *d* of *June,* took *Howley*-Houſe in *York*-ſhire, and therein Sir *John Savil*; from thence he March'd towards *Bradford,* a Parliamentary Garriſon. In the way he was met on *Atherton-Moor,* by the Lord *Fairfax*; where, on the *laſt of June,* a ſmart *Battel* was Fought between them. The Earl of *Newcaſtle* had the advantage in number, eſpecially Horſe: But *Fairfax*'s Foot at firſt got the ground, and had almoſt encompaſſed the Earl's Train of Artillery, and put his Forces to the Rout, when a ſtand of Pikes gave ſome Check to their Succeſs; and, at the ſame time, a Body of his Horſe fell upon their Rear, and Routed them: So that the Fortune of the Field being changed in an Inſtant, *Fairfax*'s Army was *utterly Defeated,* ſeveral Pieces of Ordnance taken, four or five Hundred Slain, and many taken Priſoners.

Howley-Houſe Taken, *June* 22.

The Lord *Fairfax* Routed at *Atherton Moor, June* 30.

The Lord *Fairfax* with his Shatter'd Forces, retreated to *Bradford,* but the Earl purſuing him thither the ſame Night, they were forced to quit that Town, and came to *Leeds*; where, on *Sunday* the firſt of *July,* he received a Letter from the Mayor of *Hull,* giving him an Account of the ſeizing of *Hotham* (which happened the day before this Battel) whereupon his Lordſhip reſolved for *Hull,* and the next Morning ſet forwards to *Selby,* where ſome of the Earls Troops were laid, to hinder his Paſſage over the River, whom Sir *Thomas Fairfax* held in Skirmiſh till his Father and Attendants were paſſed over, who arrived at *Hull* at Two a Clock on *Tueſday* Morning: But Sir *Thomas* being Shot in the Arm in this laſt Diſpute, and not able to force his Paſſage over that Ferry, wheeled about by *Carlton*-Ferry, and reſted that Night Two or Three hours at *Crowle* in *Lincoln*-ſhire: The next Morning early he was way-laid by ſome Forces as he croſſed the River *Trent,* where they took his Plate; but he made his way to *Barton,* and came to *Hull* in the Afternoon, being purſued to *Barton,* and many of his Followers had been taken, if a *Ketch* had not been ſent from *Hull* up the River to Guard them with her Ordnance.

Lord *Fairfax* to *Hull.*

But notwithſtanding this Action *Cromwel* being forced to withdraw to Recruit his Forces, the Earl of *Newcaſtle* advancing to the Town of *Gainsborough,* with 6000 Horſe and Foot, and having Planted 16 Pieces of

Gainsborough retaken by the Earl of *Newcaſtle.*

An. 1642. of *Ordnance* againſt it, thrown in ſeveral Granado's, and Fired the Town in divers places, the Lord *Willoughby* Surrendred it, upon condition to March away with *Bag and Baggage*, and accordingly march'd out with his Forces to *Lincoln*. But the Earl of *Newcaſtle* ſoon diſlodged them from thence too, and placed a Garriſon in it for the King.

In the mean time, as the Lord *Fairfax* was conſtituted Governor of *Hull*, by an Ordinance of the 22*d* of *July*; ſo his Son Sir *Thomas* had got together an Army of about 25 Troops of Horſe, and 2000 Foot and Dragoons, which he Quartered in and about *Beverly*.

The Earl of *Newcaſtle* made a Marqueſs.

Whereupon the Earl of *Newcaſtle* (about this time dignified with the Title of a Marqueſs) advanced towards thoſe Parts with an Army of 15000 Horſe and Foot, and Sir *Thomas* forced to abandon the Town of *Beverly* to him: And on the Second of *September* the Marqueſs came up to *Hull*, and began his Works againſt it. The Siege was managed with much Bravery and Reſolution, both by the Aſſailants and Defendants. On the 14*th* of *September* the Lord *Fairfax* cauſed the Banks to be cut, whereby the Waters much annoyed the Beſiegers in their Works. On the 16*th* a great part of the *North* Block-Houſe, belonging to the Town, was blown up by the Careleſneſs of a Cannonier; who, with his Light-Match, went to fetch Cartrages, where were 9 or 10 Hand Granado's that took Fire, rent the Houſe, Slew him and Four more; but Ten Barrels of Powder, that were in the next Room, were not touch'd.

Hull Beſieged, *Sept.* 2.

Septemb. 26. The Lord *Willoughby*, and Colonel *Cromwel* came to *Hull*, to conſult with the Lord *Fairfax*, but made no ſtay; and the ſame day Sir *Thomas Fairfax* croſſed *Humber* with 20 Troops of Horſe, to joyn with *Cromwel*'s Forces in *Lincoln*-ſhire.

On the 28*th* of *September* the Marqueſs's Magazine at *Cottingham* was Fired.

On the 5*th* of *October* the Earl of *Mancheſter* having taken in *Lynn*, ſent 500 Men, very well Armed, under Sir *John Meldrum*, into the Town, who were a great encouragement and help to them.

On *Munday October* the 9*th*, The Beſiegers made a fierce Aſſault on the Fort called the *Weſt-Jetty*, and an half Moon near it, but did not become Maſters of either of them. On the 11*th* of *October*, Command was given in the Town, That all Men ſhould be in Arms at Seven a Clock in the Morning, without beat of Drum: And order was given to the Guards on the *North* ſide of the Town, to Flaſh Powder as if they were lighting many Hundred Matches, that ſo the Beſiegers might expect the Attack on that ſide. But at Nine a Clock 1500 Townſmen, Soldiers, and Seamen from on Board the Parliaments Ships in the Road, and Four Troops of Horſe, Sallied out towards the *Weſt*: The Foot were divided into Three Squadrons: One ſmall Party charged the Beſiegers in the Front of their laſt Work by the Gallows; the Second led by Sir *John Meldrum* on their left Flank; the Third from the *Weſt-Jetty* charged their high Works on the Bank of *Humber*. They were received very gallantly, and yet in a quarter of an hour beat the Beſiegers out of their firſt Work, and followed them to the next, which, after a ſharp diſpute, they alſo gain'd: But the Beſiegers being reinforc'd with a freſh Body, advancing with ſpeed from their Leaguer, which was a quarter of a Mile off, beat back the *Hull*-men in diſorder, and, Charging upon their Rear, recovered all their Works: The Town Horſe all this time facing a great Body of the Marqueſs's Horſe, who ſtood a Mile off, not daring to advance becauſe of the Town-Ordnance.

This

19 *Caroli.*

This Retreat much troubled the Lord *Fairfax* and Sir *John Meldrum*, who uſed all endeavours to Rally their Men, and forgot no Arguments to encourage them; ſo that they quickly got them into Order, and a reſolution to Charge again, which they perform'd ſo deſperately, that they once more made themſelves Maſters of the ſeveral Forts, and turning the Beſiegers own Guns upon them, gave them Five Shots in their Rear. The Guns they took, were a Demi-Canon, in Weight 5790 *l.* and Shot 36 *l.* Bullet, (of which ſize there was another on the *North* ſide of the Town, and theſe Two were commonly call'd, *The Queen's Pocket-Piſtols*, and *Gog and Magog*) a Demi-Culverin, Four ſmall Drakes in one Carriage, a *Sacre-Cut*, Two large Braſs Drakes, Three Barrels and an half of Powder, and many Bullets, which they carried towards the Town, but remain'd in the *Works* till they were drawn near the Walls, and then retreated; whereupon the Beſiegers advanced to their Works, and from thence into the Field, Charging upon the Rear of the Townſmen: And now began a ſharp Fight between them, which laſted for Three hours without Intermiſſion, and with great Courage on either ſide; above an hundred Pieces of Cannon were Shot from the Walls and the Fort-Royal, and the Town-Muſquets plac'd from the *Jetty*, the Half-Moon, and the Banks; yet the Beſiegers came up within Piſtol-ſhot of the *Jetty*, and lined a Bank with 100 Muſqueteers, againſt whom, a Party ſallying out, forced them to run, in ſuch diſorder, that they left moſt of their Muſquets behind them: Upon which loſs, the Beſiegers betook them to their Works, and the Fight ceaſed. That Night the Marqueſs drew off the reſt of his Guns and his Men, and broke up the Leaguer, which the Town finding next Morning, they went forth and demoliſh'd their Works; and the ſame day was obſerv'd in the Town, by the Lord *Fairfax*'s Order, a Publick Thanksgiving.

The Siege of *Hull* raiſed, *Octob.* 12.

On the ſame day that this eminent Sally was at *Hull*, *viz. Wedneſday* the 11*th* of *October*, part of the Marqueſs of *Newcaſtle*'s Forces, which he had left in *Lincoln*-ſhire were Routed near *Horn-Caſtle*, by the Earl of *Mancheſter*, who having drawn his Forces from about *Lynn*, advanced that way, and Quartering in the Towns round about *Bullenbrook*-Caſtle; Major *Knight*, on *Monday October* the 9*th*, Summoned the Caſtle in the Earl of *Mancheſter*'s Name, but was anſwered, *That his Bugg-words ſhould not make them quit the place*; and on *Tueſday*, they of the Caſtle, killed one or two of his Men. That Afternoon, *Mancheſter* himſelf came to *Kirby*, within a Mile of *Bullenbrook*; and there the Lord *Willoughby* and Colonel *Cromwel* met him; and Sir *Thomas Fairfax* lay at *Horn-Caſtle*, about Five Miles off.

The King's Forces being advertis'd of *Mancheſter*'s coming, had drawn out all their Horſe and Dragoons from their ſeveral Garriſons at *Lincoln*, *Newark*, and *Gainsborough*, with a Reſolution to find him out and Fight with him; the like did *Mancheſter*. And accordingly, on *Tueſday*, they beat up ſome of his Quarters, and ſeveral Skirmiſhes happen'd between them. The next Morning being *Wedneſday*, *October* the 11*th*, *Mancheſter* gave Order for his whole Force of Horſe and Foot to be drawn up to *Bullenbrook*-Hill, as the only convenient ground to Fight in. The King's Forces alſo, that Morning, drew their whole Body of Horſe and Dragoons into the Field, being 74 Colours of Horſe, and 21 Colours of Dragoons. *Mancheſter* had not above half ſo many Colours of Horſe and Dragoons, but as many Men, for his Troops were fuller: It was late before the Foot could be drawn up. *Mancheſter*'s Horſe and Dragoons went on in ſeveral Bodies, *Singing*

The Fight near *Horn-Caſtle*, *Oct.* 11.

of

An. 1643.

of Pſalms. Quartermaſter-General *Vermuden*, with five Troops, had the *Forlorn Hope*, and Colonel *Cromwell* the Van, ſeconded by Sir *Tho. Fairfax*. The Royaliſts *Word* was, *Newcaſtle*; that of the Parliaments Party, *Truth and Peace*. The Dragoons gave the firſt Charge, and then the Horſe fell in: Colonel *Cromwell* charg'd with great Reſolution immediately after the Dragoons of the other ſide had given him their firſt Volly; yet within half Piſtol Shot they ſaluted him with a ſecond Charge. His Horſe was killed, and fell down upon him; and as he roſe, he was knockt down again by the Gentleman that Charg'd him, which was ſuppoſed to be Sir *Ingram Hopton*: But he got up, and recovered a poor Horſe in a Soldier's hand, and ſo mounted again. The Van of the Royaliſts Horſe, being driven back upon their own Body that was to ſecond them, put them into Diſorder; and *Mancheſter's* Troops taking that advantage, charging all in with them, put them to the *Run*, leaving their *Dragoons* (which were now on foot) behind them. And ſo being totally routed, they had the Purſuit, and did Execution upon them for five Miles together. The Earl of *Mancheſter's* Foot haſtened their March, to come up to the Engagement; but the Horſe had done the Work before they came; the number killed, being computed to be about 1000 of the Royal Party; and on his ſide there were very few ſlain, and none of Note. But what Influence it had on the King's Affairs, may appear by the following Letter, written on that occaſion from Sir *William Widdrington* (afterwards Lord *Widdrington*) a principal Commander in this Action, to the Marquis of *Newcaſtle*, and intercepted.

Sir *William Widdrington's* Letter intercepted, going to the Marq. of *Newcaſtle*, touching the Fight near *Horncaſtle*.

May it pleaſe your Excellency,

I *Thought fit to give your Lordſhip an Account of our Buſineſs yeſterday, how bad ſoever, as ſpeedily as I could. We had but three Diviſions charged, two Diviſions being of Sir* William Savill's, *the third of my Lord* Ething's *and Sir* John Henderſon's *joyned, being eight Troops. The third Diviſion, being of the left Wing, put the Enemy to Diſorder: But* Savill's *Regiment totally running, diſordered and ſo put to Rout our whole Army. We have in a manner totally loſt our Foot and Dragoons that were there, being near 800 Horſe, extremely diſperſed, but no great number cut off. Sir* John Henderſon *intends to aſſign them Quarters betwixt* Gainsborough *and* Newark, *ſome on* Lincolnſhire *ſide, and ſome on* Nottingham *ſide, for the better calling the Troops together; but of the Strength of which we cannot give your Lordſhip any certain Account: But you ſhall not fail daily to hear of our Strength, all Officers having Order to return a daily Account of their Numbers. I have written to* Haſtings, *for his and the* Belvoir *Troops, which he hath now called to him, but with little expectation of any Aſſiſtance from him. Sir* John Henderſon *hath written to Sir* Edward Nicholas, *and General* Reven, *and I have written to my Lord* Jermin, *to let them know, That without the King be pleaſed to ſend a conſiderable number of Horſe into* Huntingtonſhire, *to divert their ſtaying in thoſe parts, or otherwiſe to come in the Rear of them, in caſe they continue in theſe Parts, that your Lordſhip will be much ſtreightned for the Preſervation of* Yorkſhire. *If your Lordſhip ſhall quit the Siege of* Hull *upon this unfortunate Action, I preſume your Lordſhip will think it fit to fortifie the Church, and ſome part of* Beverly, *that ſo a conſiderable Gariſon may be left as near them as may be. Their Horſe are very good, and extraordinarily armed; and may be reported to be betwixt 50 and 60 Troops, being very ſtrong. I do not know the number of their Foot; but we believe them to be about 1500, or betwixt that and 2000. Their Foot was not come up to their Horſe; and the Ground they had choſen would not admit of above three Diviſions of Horſe to charge at once. They are at preſent at Liberty to diſpoſe of their Forces what way they pleaſe, either to* Hull *or* Derby. *I can but ſubmit it to your Lordſhips Conſideration, and remain*

Pon Come, Octob. 12. 1643.

Your Lordſhips moſt humble Servant,

W. Withrington.

19 *Caroli.*

Lynn ſurrendred to the Earl of *Mancheſter*, *Sept.* 16.

Having occaſionally mentioned the taking of *Lynn*, it will be fit here to give a more particular Account thereof.

The Town of *Lynn Regis*, advantageouſly ſituated on an Arm of the Sea, had for a good while fortified it ſelf, on pretence of Neutrality, and only for their own Defence; but afterwards ſhewed themſelves wholly for the King: Wherefore the Earl of *Mancheſter*, being made the Parliaments Major-General of the Aſſociated Counties of *Norfolk*, *Suffolk*, &c. reſolved to reduce it, and in order thereunto ſeized the Town of *Old Lynn*, and there Planted Ordnance, which much annoyed them in the other Town. And two Approaches were made, one by the *Cawſway* that leads to the *South*, the other to the *Eaſt-Gate*. The Beſieged made a brisk Sally, and at once fired two Houſes in *Gaurwood*, and intended to have deſtroyed the whole Town, that the Enemy might not have Quarters there. But that Party were beaten in, and the reſt of the Houſes preſerved. The Beſiegers ſummoned in Pioneers from all the Neighbouring parts, and by degrees brought their Approaches within half Muſquet Shot; and had begun from a Battery on an Hill, near to that end of the Town next the Sea, and reſolved upon ſtorming the Town both by Land and Water, having provided many Boats and Ladders for that purpoſe: But then received a Letter from the Town, intimating their Willingneſs to Capitulate. And ſo a Treaty was agreed on to be had, by eight Perſons of a ſide. Thoſe for the Earl of *Mancheſter* were Sir *John Pagrave*, Colonel *Ruſſel*, Colonel *Walton*, Mr. *Philip Calthrop*, Mr. *John Pickering*, Mr. *Gregory Goſſet*, Mr. *John Spilman*, and Mr. *William Good*. For the Town, Sir *Hammon L'Eſtrange*, Sir *Richard Hovill*, Mr. *Clinch*, Mr. *Dereham*, Mr. *Pallet*, their Recorder, Mr. *Hudſon*, the Mayor Elect, Mr. *Leek*, and Mr. *Kirby*. Between whom, after a long Debate, it was agreed to this effect,

Articles for ſurrendring *Lynn*.

I. *THat the Town, with the Ordnance, Arms and Ammunition, be delivered to the Earl, and he to enter the Town.*

II. *That the Gentlemen Strangers in the Town ſhall have Liberty to depart, with every Man a Horſe, Sword, and Piſtels.*

III. *That the Townſmen ſhall enjoy all Rights and Privileges appertaining to them, with free Trading, ſo far as may conſiſt with Law.*

IV. *All Priſoners on both ſides to be ſet at Liberty.*

V. *That the Deſires of the Town, touching certain of their Ships taken by the Parliament's Frigats, ſhall be repreſented by the Earl to the Parliament and the Earl of* Warwick.

VI. *That neither the Perſons nor Eſtates of any Inhabitants or Strangers, now reſiding in* Lynn, *ſhall be hereafter moleſted for any thing paſt, or done by them ſince the Earl of* Mancheſter's *coming into theſe parts.*

VII. *That for preventing of Plundering, the Town ſhall raiſe and pay Ten Shillings a Man to all private Soldiers under the Earl's Command, and a Fortnights Pay to the Officers.*

Laſtly, *That Sir* Hammon L'Eſtrange, *Sir* Richard Hovill, *Captain* Clinch, *Mr. Recorder, Mr.* Dereham, *and Mr.* Leek, *remain as Hoſtages, until Conditions be performed.*

And ſo the ſame Night part of the Earl's Forces took Poſſeſſion of the Town; and the next Morning his Lordſhip made his Entry, and ſent 500 Men to *Hull*, and ſoon after drew the reſt of his Forces into *Lincolnſhire*, as hath already been mentioned; leaving Colonel *Walton* Governour of *Lynn*.

An. 1642.

An Order of the two Houſes, touching *Lynn*, *Dec.* 9 1643.

FOraſmuch as the Earl of Mancheſter, *in his Articles of Agreement with the Town of* Kings Lynn, *remitted their Offence, in reference to himſelf and his Army, while he lay before the Town; but touched upon no private Injuries done by the Malignants to the well-affected: It is this day ordered by the Lords and Commons, That ſuch Perſons as did take any of the Goods of the well-affected, by themſelves, or ſuch as they appointed, or did any Damage to their Houſes or Mills, or any other ways, ſhall make Reſtitution to all ſuch well-affected Perſons as have been damnified, according to the Greatneſs of their Loſſes. And that Colonel* Walton, *Governour of* King's Lynn, *Mr.* Percival, *and Mr.* Toll, *Members of the Houſe of Commons, ſhall examine what Damage hath been done to the well-affected, and appoint ſuch as have done them Injury to make them Reparation accordingly. And if any of them ſhall refuſe to make ſuch Reparation, That the ſaid Governour, Mr.* Percival, *and Mr.* Toll, *ſhall have Power to ſequeſter ſo much of the Eſtates of ſuch Malignants, as will make them Reparation, and Aſſign it to thoſe that have been damnified.*

Saturday, *July* 22. The taking of *Briſtol* by Prince *Rupert*.

Prince *Rupert*, with a very conſiderable Army, ſaid to be about 20 thouſand Horſe and Foot, came before *Briſtol*, and ſummoned that City: But being refuſed, laid Siege thereunto; and on Monday gave a fierce Aſſault, and ſo continuing their Attacks very briskly, the Governor as ſtoutly defended it, until Colonel *Waſhington* at laſt, on *Wedneſday* the 26th, gained the Out-works, and made a Breach into the Town, which Captain *Langrige* with his Troop was to have ſecured; but failing, then Colonel *Fiennes*, the Governour, ſubmitted to a Parley, and agreed to ſurrender the City on the following Articles.

I. *THat the Governour, with all the Officers both of Horſe and Foot, ſhould march out with their full Arms, Horſes, Bag and Baggage, the Common Foot Soldiers, without their Arms, and the Troopers, with their Horſes and Swords; and have a Convoy for* 20 *Miles.*

II. *That ſuch of the Parliaments Friends as were in the City, ſhould have free Liberty, with their Wives, Goods, and Families, Horſes, Bag and Baggage, to depart the Town with the Governour and Forces there.*

III. *That all the Inhabitants of the City ſhould be ſecured from Plunderings, and all other Violence, and the Charters and Liberties of the City preſerved.*

Great Complaints were made, That theſe Articles were not obſerved by the Royal Party. And Colonel *Fiennes*, the Governour, though he came up, and made a large Report on the third of *Auguſt* to the Houſe of Commons, touching this Affair, was afterwards, on the Inſtigation and Proſecution of *William Prynn* and *Clement Walker*, called before a Council of War, for thus tamely yielding up ſo important a Gariſon; and was thereupon, on the 28th of *December* following, condemned to dye, but afterwards Reprieved, and eſcaped with his Life; but quitted his Military Employment.

Col. *Fiennes* Condemned, *Decemb.* 28.

Skirmiſhes between *Waller* and the King's Forces, at *Lands-Down*, *July* 5. 1643.

The Marquis of *Hartford*, Prince *Maurice*, and Sir *Ralph Hopton*, being joyned, had their Head Quarters at *Wells*. And Sir *William Waller* being at *Bath*, ſent out Major *Dowet* to beat up one of their Quarters, where Sir *James Hamilton*'s Regiment of Horſe lay, whom they diſperſed, and took Lieutenant-Colonel *Carr*, Major *Blunt*, two Captains, four Cornets, 97 Troopers, 140 Horſes, and 60 Caſe of Piſtols. This provok'd His Majeſties Forces, ſo that the next day being the third of *July*, they advanced in a Body towards *Waller*; and being come within two Miles of *Fourd-hill*, the ſaid Major *Dowet* was commanded forth with 300 Horſe and Foot, to ſecure the Paſs at *Fourd-bridge*; but he was beat off, 10 of his Men kill'd, and two Hammer-pieces taken. On the 4th *Waller* having drawn his Forces out of *Bath*, lay all night on *Landſ-*

down;

down; and on the fifth of *July* Captain *Butler*, under the Command of Sir *Arthur Haſlerig*, and Major *Dowet* with 200 Horſe, ſeconded with 200 more, led by Colonel *Carr*, gave a warm Charge; but were ſo gallantly received, that they were forced to Retreat apace, though yet they kept in Order, till they were relieved by Colonel *Burghill*; between whom the Fight was variouſly maintained for two Hours: and then the Parliament's Foot growing weary, a Supply was ſent, which conſiſting of freſh new-raiſed Soldiers, preſently gave Ground; and Colonel *Burghill* was ſhot through his Right Arm. The King's Party Charg'd up very fiercely, and drove the Parliamentarians from their Ground, which yet proved to their Advantage; for now both Armies being in the Plain, and *Waller* exceeding them in Numbers of Horſe, as much as they did him in Foot, had the better Opportunity of Fighting. And now the Charges grew exceeding hot on both ſides; and continued ſo for many hours, till Night parted them, each ſide pretending to the Honour of a Victory. *Waller* returned back to *Bath*; and the King's Forces to their former Quarters at *Marſhfield*. On the King's Party was ſlain that brave *Corniſh* Gentleman, Sir *Bevil Greenvill*, Lieutenant Colonel *Ward*, and Major *Lower*. On *Waller*'s ſide, Major *Strawhan*, a Scotchman, (who gave a remarkable Charge to the King's Forces in *Cornwal*) One Lieutenant, and Two Cornets: But the Numbers of Common Soldiers loſt on either ſide, are very differently and uncertainly related.

Waller having refreſh'd his Men Two Days in *Bath*, on Friday the ſeventh of *July* march'd towards *Marſhfield*: But the King's Forces removed thence, and bent towards the *Devizes*, a Town in *Wiltſhire*; and by the way divers Skirmiſhes happened. Prince *Maurice* and the Marquis of *Hertford*, with moſt of their Horſe, went to *Oxford*; but Sir *Ralph Hopton* and the Foot continuing in the *Devizes*, *Waller* beſieged it, and upon Tueſday *July* 11, made a brisk Aſſault, but found it as well defended. Yet in the Afternoon a Parley and Ceſſation for Two Hours was deſired; but not conſenting to *Waller*'s Terms, both ſides again fell to their Arms; and on Thurſday Night *Waller* had reſolved to make a General Aſſault. But in the mean time comes the Lord *Wilmot*, and the Earl of *Carnarvan*, with 2000 Horſe, or upwards, and were advanced within two or three Miles of the *Devizes*, before *Waller* had Notice of them: Who thereupon ſuddenly drew up, without Drum or Trumpet, to *Roundway-Down*; where his Horſe, raſhly led on by Sir *Arthur Haſlerig*, leaving the Foot, Gallop'd up the Hill, and Charg'd the King's Forces very diſadvantageouſly, and ſo were preſently put to a Diſorderly Retreat. Yet with the help of their *Reſerve*, they Rallied, and ſtood a ſecond Charge; but then were totally Routed. *Waller*'s Foot made a better Reſiſtance; but Sir *Ralph Hopton*'s Forces out of the Town falling upon them, as well as the Lord *Wilmot*'s Horſe, and their own Cavalry having abandon'd them, they were alſo in a little time intirely defeated, and flung down their Arms, and fled. The King's Forces took Four Pieces of Ordnance, abundance of Arms, and many Priſoners. Sir *William Waller*, Sir *Arthur Haſlerig*, (who was wounded) Colonel *Popham*, Colonel *Strode*, and other Commanders, eſcaped to *Briſtol*. And within few days Sir *William Waller* repaired to *London*; where, notwithſtanding this Diſaſter, he was highly Careſs'd, and Endeavours ſet on foot to Raiſe him another Army.

Waller beſieges *Hopton* in the *Devizes*.

Waller routed by the Lord *Wilmot*, at *Roundway-Down*, near the *Devizes*, *July* 13. 1643.

An. 1643. An attempt to betray *Pool*, and the Earl of *Craford* Defeated therein, *Septemb.* 24.

The Town of *Pool* in *Dorſetſhire* being in the Parliaments Hands, the Earl of *Craford*, who Quarter'd not far off with ſome of the Kings Forces, by the Mediation of one Captain *Phillips*, held Intelligence with Captain *Francis Sydenham*, one of the Captains of the Gariſon at *Pool*, touching admitting them into the Town; which *Sydenham* pretended to be willing to do, provided he might have his *Pardon*, and the Loſſes made good which he had ſuſtained in the Parliaments Service; but privately communicated the Intrigue to Mr. *Bingham* the Governor. At laſt the Earl of *Craford* wrote a Letter to *Sydenham*, under his Hand and Seal, aſſuring him of ſuch Pardon and Satisfaction as he deſired, and as an earneſt, ſent him 40 *l.* by one Mr. *Mellege* a Miniſter. Then they proceeded to *the manner* how the matter ſhould be managed, and agreed thus, That ſuch a Night, when *Sydenham* ſhould be Captain of the Watch, and his Men on the Guard, the Earl with ſome Troops ſhould in the dead of the Night approach the Town, and the Gate ſhould be left open, and the Earl coming ſhould cauſe an Horn to be blown, (as Captain *Sydenham* uſed to do for want of a Trumpet, when he went abroad) that ſo the Town, and the Frigat lying right againſt the Gate might not ſuſpect them; and ſo they entring the Town, *Sydenham*, as flying for Safety, and crying out, *That he was Betray'd*, ſhould preſently with his Men get to the ſaid Parliaments Ship, and ſeize her. The Earl liked the Method well, and ſent him 100 *l.* more, and promiſed him a Majors place in the King's Army, and the Ship for his Pains. At the time appointed the Earl, with all his Horſe, being 8 Troops, and two Regiments of Foot, under Colonel *Aſhley* and Colonel *Griffith*, making about 500, advanced to the Town, and moſt of them entred the Gate. But to receive them, juſt before the Gate, there was raiſed an Half-Moon, Guns planted, and Chains drawn up, and Soldiers placed, who ſuddenly firing upon them, kill'd many, and the reſt flung down their Arms and fled, the Earl himſelf difficultly eſcaping; and if the Guns had not been planted too high above the Ground where they were, moſt of them had been cut off: There were taken 50 Horſes, above 200 Arms, divers Perſons left dead upon the place, and about 20 taken Priſoners.

The Siege of *Gloceſter* begun, *Aug.* 10. 1643.

The Earl of *Stamford* being gone into the Weſt, Colonel *Edward Maſſey*, whom he had left at *Gloceſter*, was choſen Governor of that City, which after the Surrender of *Briſtol*, was the next place of Note attempted by the Kings Forces; For on *Auguſt* the 10th, His Majeſty having march'd from *Oxford* to *Briſtol*, came back and faced *Gloceſter* with 6000 Horſe and Foot in *Tredworth* Field, about a quarter of a Mile off the Town; and about 2000 Horſe more faced it in *Walham*, within Cannon Shot at Random of their Works, the reſt of His Majeſties Forces being not then come up. Towards the Afternoon His Majeſty ſent a Meſſage by Two Heralds at Arms, whereof the one being *Somerſet* Herald, Read the Meſſage at the *Tolzey*, as followeth.

The Kings Summons to Gloceſter.

OUr of Our Tender Compaſſion to Our City of Gloceſter, *and that it may not receive prejudice by Our Army, which We cannot prevent if We be compelled to Aſſault it, We are Perſonally come before it, to Require the ſame, and are Graciouſly Pleaſed to let all the Inhabitants thereof, and all other Perſons within that City, as well Soldiers as others, know, That if they ſhall immediately ſubmit themſelves, and deliver this Our City to Us, We are contented freely and abſolutely to Pardon every one of them without Exception; And do aſſure them in the Word of a King, That they nor any of them ſhall receive the leaſt Damage or Prejudice by Our Army in their Perſons or Eſtates; But that We will Appoint ſuch a Governor, and a moderate Gariſon to Reſide there, as ſhall be both for the Eaſe and Security of that City, and the whole County. But if they ſhall*

Neglect

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Neglect this proffer of Grace and Favour, and compel Us by the Power of Our Arms to Reduce that place, (which by the help of God we doubt not, but we shall be easily and shortly able to do) they must thank themselves for all the Calamities and Miseries that must befal them. To this Message we expect a clear and positive Answer within Two hours after the Publishing hereof: And by these Presents do give leave to any Persons safely to repair to, and return from us, whom that City shall desire to Imploy unto us in that business: And do require all the Officers and Soldiers of our Army, quietly to suffer them to pass accordingly.

The City of *Gloucester*'s Answer.

WE the Inhabitants, Magistrates, Officers, and Soldiers within this Garrison of Gloucester, *unto His Majesties Gracious Message, return this humble Answer; That We do keep this City according to our Oath and Allegiance, to and for the use of His Majesty and His Royal Posterity: And do accordingly conceive our selves wholly bound to Obey the Commands of His Majesty, signified by both Houses of Parliament; and are resolved, by Gods help to keep this City accordingly.*

Constance Ferrer, *Major.*
John Brewster.
William Lugge.
M. Singleton.
Tho. Hill.
Tho Pury.
Edward Massy.
C. Ferrer.
Humphry Matthews.
Isaac Dobson.
Edward Gray.
Thomas Blainey.
Robert Backhouse, &c.

This Answer was by Serjeant Major *Pudsey*, and a Citizen, presented to the King, who received it without expression of Choler or Indignation, seeming only to wonder at their great Confidence, and from what hope of Relief it should proceed, using these words before the Messengers, *Waller is Extinct, and Essex cannot come.* And indeed, their whole Strength of Soldiers, Horse, Foot, and Dragoons, together with the Trained Bands, did not consist of above 1400; Forty, or at most, Fifty Barrels of Powder, was all their Store, and a mean and Slender Artillery; the Works of a vast compass, and not fully perfected.

Passages at the Siege of *Gloucester* by way of Journal.

Immediately after this Answer returned to His Majesty, the Town set their Suburbs on Fire; and with their Cannon from the Pen upon the *West*-Gate, discharging upon the Body of Horse in *Walham*, did some Execution, and obliged them to retire. The King's Army immediately began their Intrenchments; and the Women and Maids in the Town wrought all that Afternoon in the *little Mead*, fetching in Turf for repairing the Works in the face of the King's Horse: The Besieged, through want of Men for Guarding the City it self, were forc'd to quit their Out-Guards of the *Wine-Yard*, and Two *Sconces* they had formerly made at each corner of the Isle of *Alney*, for securing thereof, and of the River *Severn*: And the King's Forces having cut off the Pipes that conveyed Water from *Robinhood's*-Hill to the City-Conduits, and diverted the Water that drove their Corn-Mills, they were forced to be content with Pump and *Severn*-Water, and to grind all their Corn with Horse-Mills. Sir *William Vavasor* lay with his *Welch* Forces on the *West* side, intending to join with others that came from *Worcester*, and had drawn themselves together on the *North-West* side: On the *South* side General *Ruthen*, Earl of *Forth*, placed his Leaguer within a Quarter of a Mile from the Town, but sheltred from their Shot by a rising ground that lay between: On the *East*-side Sir *Jacob Ashly* was Quartered with a strong Brigade; but in one of the first Skirmishes Sir *Jacob* himself was Wounded, being Shot in the

the Arm; and at the ſame time, Six of his Men killed by Cannon-Shot from the *Eaſt*-Gate. The King's Commanders being many of them Gentlemen of great Skill and Experience, made their Approaches, and placed their Batteries with as much advantage as was poſſible. Nor were the Beſieged behind-hand in Courage or Dexterity; as appeared not only in their Defences, but frequent *Sallies*, which kept the King's Forces Waking, by continual Alarms to waſte and weary them.

Saturday, *Aug.* 12. In the Forenoon Captain Lieutenant *Harcus* Sallied out through a door made for that purpoſe in a Brick-Houſe adjoining to the Town-Wall, on the *South-Eaſt* part; and making a Bridge of Ladders over the Mote, fell ſuddenly into the Beſiegers Trenches in *Gawdy-Green*, beat them out, took ſome Priſoners and Arms, with ſeveral of their Tools, and retreated without loſs of any, only Two Wounded. In the Afternoon, Captain *Gray*, with 150 Muſqueteers, Sallied over the Works upon the *Worceſter*-Forces Quarters at *Kingſholm*, marched up to their Main-Guard and burnt it, kill'd Captain *Rumney*, and Eight or Nine Common Soldiers, took Five Priſoners and ſome Arms, and came back without loſing a Man. The Beſiegers Planted Two great Culverins, of between 15 and 16 pound Bullet, at the *Eaſt*-ſide, and therewith Battered the Town Wall; and alſo Shot ſeveral Granado's into the Town, but did no Execution.

On *Sunday* the Beſiegers Planted Three Pieces of Ordnance on their Battery at *Gawdy-Green* of 15, 18, and 23 *l.*-Bullet weight, and thence made many Shots then, and the day following: But as faſt as any Breaches were made, they were made up again with Wool-Sacks and Cannon-Baskets.

On *Tueſday* the 15*th* *James Harcus*, Captain Lieutenant to the Earl of *Stamford*, was Slain in the *Fryars* Orchard, as he was looking what execution the Granado had done, that he threw into the Beſiegers Trenches.

King goes to *Oxford*, but returns to the Leaguer.

On *Wedneſday*, *Aug.* 16. The King went to *Oxford*, and on the 18*th* returned to the Leaguer. Captain *Criſp*, with 150 Muſqueteers, Sallied at the *North* Port, and maintain'd an exceeding hot Skirmiſh for above half an hour, the Cannon and Muſquets on both ſides playing very furiouſly.

On *Thurſday*, divers Granado's were Shot into the Town, and ſome fell upon Houſes, and one in the open Street near the *South*-Gate, but a Woman coming by with a Pail of Water, threw the Water thereon, and ſo extinguiſh'd the *Fuſee* thereof, that it did not break, but was taken up whole, and weighed 60 *l.* weight.

On *Friday* 18. The Beſiegers having Planted Four Ordnance againſt the *Acun-Gate* and *Sconces* adjoining, a Party of about 400, Commanded by Major *Pudſey* and Captain *Gray*, aſſiſted by Captain *Faulkner* and Captain *Maſſie*, Sallied forth of the *North*-Gate, being led on by one *Weaver*, a ſtout Fellow of Captain *Pury* the younger's Company, as their Guide, and having ſent Lieutenant *Fincock*, with about Fifty Musqueteers over the Works, to give a divertive Alarm, by advancing up towards the Cannon: They, in the mean time, got behind their Cannon and Breaſt-works, fell upon their Main-Guard, killed ſeveral Officers and Soldiers, and Two Canoneers, took a Lieutenant Priſoner, nailed their Cannon, and ſo retreated, having Two Men kill'd, and Four taken Priſoners.

Saturday 19. The Beſiegers, beſides their Three Pieces of Ordnance at *Gawdy-Green*, having now Planted Three more on the *Eaſt*-ſide of the

the *Fryars*-Orchard near *Rignal-Stile*, within leſs than *Piſtol-Shot* of the Town-Wall, and Two more in another Battery near the *East*-Gate, began a moſt furious Battery upon both ſides of the Corner of the Wall next *Rignal-Stile*, making above 150 great Shot thereupon; and alſo Shot ſeveral Granado's into the Town. 19 *Caroli.*

On *Sunday* the 20*th*, One *Hatton* a Canonier of the Town, deſerted them, and went off to the Royal Party. And on *Monday* Two Parties Sallied forth, but were beaten back with Loſs. On *Tueſday* and *Wedneſday* they made Sallies only to amuſe the Enemy, but preſently retreated without any Engagement.

On *Thurſday* the 24*th*, Upon a Letter ſent into the Town that Mr. *Bell*, of *Sanct-hurſt*, and Mr. *Hill* of *Tuexbury*, both Lawyers, had ſomething of Importance to Communicate, they were admitted within the Draw-bridge at the *North*-Gate: Their buſineſs was to repreſent to the Town the great Strength that was againſt them, the impoſſibility of Relief, the Miſeries the Country endured by reaſon of their Obſtinacy, and therefore to perſwade them to yield, whil'ſt good Terms might be had; but all their Rhetorick prevailed nothing. The Beſiegers made ſeveral Shots this day with Two Pieces of Ordnance newly Planted at *Lanthony*: One Bullet of 20*l.* weight, came through a Chamber of the *Crown*-Inn, carried a Bolſter before it into the Window, and there ſlept in it. Now there happen'd ſome Rain, which much annoy'd the Beſiegers in their *Trenches*; alſo this Night the Beſieged diſcovered a Fire upon *Wain-loads-Hill*, which gave them Encouragement, becauſe they had appointed a Perſon, whom they had formerly ſent out, if he heard of any Relief coming, to ſignifie it by making a Fire there.

Friday, *Aug.* 25. The Beſiegers, beſides many Granado's and great Stones from their Mortar-Pieces, Shot above 20 Fiery red hot Iron-Bullets, ſome 18. ſome 22. pound weight, which in the Night appeared flying in the Air like ſhooting Stars. On *Saturday* and *Sunday* the Beſiegers wrought hard in filling up the Mote with Earth and Faggots. And on *Monday* and *Tueſday* the Townſmen conceiving a Mine ſunk under the *East*-Gate, were buſie in Countermining; and had notice by Two Intelligencers from *Warwick* of Relief a coming.

Wedneſday and *Thurſday* the Beſieged turned out their Cattle to graze in the little Mead, guarded by ſome Musketeers, and taking them in again at Night, the Beſiegers offered to come to take them away, but were repulſed.

On *Friday*, *Sept.* 1. A Serjeant, and one *John Barnwood*, and Four Musqueteers, crept forth of an Hole made in the Dungeon at the *East*-Gate, and came very ſoftly to the Mouth of the Beſiegers Mine there, and *Barnwood* taking aſide the Board that cover'd it, look'd in upon them a pretty while, and then Fired, and caſt in a Granado amongſt them; the Four Musketeers playing upon them as they ran out of it, and ſo retreated without harm.

On *Saturday* both ſides were very active, the Beſiegers playing hard upon the Wall and the *South*-Gate, and the Town ſending abundance of Musket-ſhot and Granado's into their Trenches: and finding, that for all the Springs, the Mine went on at the *East*-Gate, renewed their Countermine there.

On *Sunday*, *Septemb.* 3. The People being at Church in the Town, were inform'd, That the Beſiegers had Planted ſtore of Cannon-baskets at the *East*-Gate, within leſs than half Musket-ſhot, and 'twas believed intended a Battery there, upon the Springing of their Mine; where-

An. 1643. whereupon the Miniſter diſmiſt the Congregation without a Sermon; and they fell to lining the Houſes over the Eaſt-Gate, and making a ſtrong Breaſtwork croſs the *Eaſt-Gate-Street*. The King's Forces, by the Directions of Dr. *Chillingworth*, had provided certain Engines, after the manner of the Roman *Teſtudines cum Fluteis*, wherewith they intended to Aſſault the City between the South and Weſt Gates; They ran upon Cart-Wheels, with a *Blind* of Planks Muſquet-proof, and holes for four Muſqueteers to play out of, placed upon the Axle-tree to defend the Muſqueteers and thoſe that thruſt it forwards, and carrying a Bridge before it; the Wheels were to fall into the Ditch, and the end of the Bridge to reſt upon the Towns Breaſtworks, ſo making ſeveral compleat Bridges to enter the City. To prevent which, the Beſieged intended to have made another Ditch out of their Works, ſo that the Wheels falling therein, the Bridge would have fallen too ſhort of their Breaſtworks into their wet Mote, and ſo fruſtrated that Deſign.

On *Monday* Night the Beſieged diſcerned two Fires on *Wayn-load*-Hill, which they anſwered with Lights from the College Tower: And on *Tueſday* the Fifth of *September*, which was appointed by the Beſieged for a publick Faſt to be kept by ſuch as might be ſpared from Labour, they perceived the King's Forces removing their Carriages from *Lanthony* up *Tredworth* Field, and their Horſe and Foot marching after; and afterwards their Rear-Guard firing their Hutts, and the Siege to be Raiſed, which had now laſted Twenty ſix days; and being ſo remarkable, I have ventured to ſet down the moſt conſiderable Paſſages thereof by way of Journal. But now muſt look back into the Reaſons of Raiſing the Siege, and *Eſſex*'s march which occaſion'd it.

The Siege of *Gloceſter* raiſed *Sept.* 5. 1643.

You have heard how *Reading* was Surrendred *April* the 27th to the Parliament, but that Town being infected, cauſed a great Mortality amongſt their Soldiers, who were alſo diſcontented, as well becauſe they were not ſuffered to plunder it, as becauſe they had not the twelve Shillings a Man which was promiſed them in lieu thereof; Nor indeed could they get their uſual *Pay*, for the Parliament at that time were put to it for want of Money; upon which Diſcontents, great Numbers daily Deſerted their Colours; and at the ſame time, the Parliaments Forces in other Parts, as *Waller*, *&c.* were generally worſted; But it was much deſired by the City of *London*, that *Eſſex* ſhould advance towards *Oxford*, which though ſomewhat againſt his own Judgment, he comply'd with ſo far, as to march to *Thame* in *Oxfordſhire* in the Month of *June*, where by the means of very unſeaſonable Weather, Sickneſs increaſing in his Army; he therefore judging the Deſign upon *Oxford* impracticable, marched to *Great Brickhill*; from whence he ſent the following Letter to the Houſe of Commons.

Eſſex in a bad Condition after the taking of *Reading*.

The Earl of *Eſſex*'s Letter adviſing to a Peace; *July* 9. 1643.

Mr. Speaker,

I *Would have given you the true Relation of the Skirmiſh on Sunday laſt between ſome of the Horſe and Enemy near* Buckingham, *but Sir* Phillip Stapleton, *and* Colonel Goodwin *being then upon the place, I refer the Relation thereof unto them; Since when being informed, that the King had ſent more Forces to* Buckingham *to maintain that place, and bring theſe parts into Contribution, where the Enemy ſtay'd until the Army came within two Miles of them, and then made haſt away towards* Banbury, *notwithſtanding they had perſuaded the People that they would not quit the place till they had beaten me out of the Country: I then Underſtanding that they were fled, held it not fit to go to the Town with my Army, but ſent Colonel* Middleton *with ſome Horſe to clear that Town and Coaſt, which they did; and then adviſed where to Quarter with moſt Conveniency for our Army, and moſt ready for the Enemy. The Queens Forces being like*

to

19 Caroli.

to joyn with them very ſuddenly; And that our Army may the better ſerve the Parliament and City, and Counties adjacent, and be more ſafely ſupplied with Money from London, *and lie moſt conveniently to joyn the Forces with the Lord* Gray *in* Northampton-ſhire; *I was adviſed to march to* Great Brickhill, *as the moſt fit place for all Purpoſes, the Enemies chief Strength being in Horſe; And this Army neither recruited with Horſe, Arms, nor Saddles, it is impoſſible to keep the Counties from being plundered, nor to Fight with them but when and where they liſt; we being forced, when we move, to march with the whole Army, which can be but ſlowly, ſo that the Counties muſt ſuffer much wrong, and the crys of poor People are infinite. If it were thought fit to ſend to His Majeſty to have Peace, with the ſetling of Religion, the Laws, and Liberties of the Subject, and to bring unto juſt Tryal thoſe chief Delinquents that have brought all this Miſchief to both Kingdoms; And (as my Lord of* Briſtol *ſpake once in Parliament) how we may be ſecured to have theſe Things performed hereafter; or elſe, if His Majeſty ſhall pleaſe to abſent himſelf, there may be a day ſet down to give a period to all theſe unhappy Diſtractions by a Battel, which when, and where they ſhall chuſe, that may be thought any way indifferent, I ſhall be ready to perform that Duty I owe you; and the Propoſitions to be agreed upon between His Majeſty and the Parliament, may be ſent to ſuch an indifferent place, that both Armies may be drawn near the one to the other, that if Peace be not concluded, it may be ended by the Sword; No Officers of the Army to be of the Committee, nor no intercourſe to be between them.*

SIR,

I am,

Great Brickhill,
July 9. 1643.

Your aſſured Friend,
ESSEX.

The Commons upon the Receipt of this Letter had ſome debate immediately thereupon, and imparted the ſame to the Lords; and next Day conſidered it further, and came to this Reſult, That by His Majeſties late Proclamation *, They are caſt out of His Protection as a Parliament, and thereby made uncapable to Treat (until that Proclamation be Recalled) with His Majeſty as a Parliament; And that by their late Vow and Covenant, they had Bound themſelves never to lay down Arms, ſo long as the Papiſts, now in open War againſt them, ſhall by force be protected from the Juſtice of Parliament; and thereupon committed their Generals Letter to have an Anſwer returned to Satisfie him therein; and that they would Recruit his Troops according to his Deſire.

* Of the 20th of *June*, which ſee in the Chapter following.

Afterwards he Retreated nearer *London*, and Quartered at *Kingſton upon Thames*, and places adjacent. In the mean time he had ſeveral Conſultations with the two Houſes, who were diligent to Recruit his Army; and on the 18th of *Auguſt*, ordered 2000 Men to be preſſed for that purpoſe, beſides ſuch as came in Voluntiers; And being reſolved to relieve *Gloceſter*, the following Order was ſet forth on the 21ſt of *Auguſt*, 1643.

Eſſex recruited.

Order to ſhut up Shops in *London* till *Gloceſter* be relieved, *Aug.* 21. 1643.

WHereas the Committee for the Militia in the City of London, *by Virtue of an Ordinance of both Houſes of Parliament, dated the* 17th *day of this inſtant month of* Auguſt, *have Power to Command the ſhutting up of all Shops within the Lines of Communication, to the end the Inhabitants thereof may the better fit themſelves for the Defence of the ſaid City, and parts adjacent; And foraſmuch as the ſaid Committee have been moved, as well by a Committee of Lords and Commons in Parliament, as from his Excellency the Earl of* Eſſex, *to ſend forth of this City ſome ſpeedy Aid for the relieving of the City of* Gloceſter, *now in great Diſtreſs, by reaſon of the Enemies Army, wherewith they are Beſieged; And the ſaid Committee conceiving, that the City of* London, *and parts adjacent, cannot be long in Safety if that City be loſt; They have thereupon reſolved forthwith to ſend out a force, both of Horſe and Foot, for the Relief of the ſaid City of* Gloceſter; *And for the better furtherance of that Service, the ſaid Committee of the Militia, do hereby Require all Perſons, Inhabiting within the Lines of Communication, immediately to ſhut up Shops, and to continue them ſo ſhut up, until*

An. 1643.

Glouceſter *be relieved, or till farther Order ſhall be given by both Houſes of Parliament, or this Committee, and to apply themſelves to the furthering of this ſo neceſſary a Service. And the Officers of the Regiments of Trained-Bands, and Auxiliary Forces, which by Lot are appointed to go in this Expedition, are required to return to the ſaid Committee as well the Names of ſuch Perſons of the ſaid Regiments, as ſhall neither march with the reſt, nor appoint other ſufficient Men to go in their room; and of ſuch as ſhall in any ſort hinder this Expedition; to the end ſuch Courſe may be taken with them, as this Diſcovery of their ill Affection to the Safety of this City, and Parts adjacent, deſerveth: As alſo the Names of ſuch Voluntiers, not Liſted in the ſaid Regiments, as ſhall go in this Expedition; to the end they may receive the like Pay which the reſt do, and be alſo taken notice of, as Perſons well affected to the City and Parliament.*

The 24th of *Auguſt*, the Earl of *Eſſex* made a General Muſter of his Forces on *Hounſlow-heath*; and many Lords and Commoners were preſent; the Army appearing 10000 ſtrong. After which he removed his Quarter to *Colebrook*; beſides which, the Forces following were by Lot drawn out of *London*, to joyn with his Excelleney for the ſame Service of *Glouceſter*, viz. two Regiments of the Trained-Bands, three Regiments of Auxiliaries, a Regiment of Horſe, with eleven Pieces of Cannon, and three Drakes.

Eſſex begins his March towards *Glouceſter. Aug.* 26.

On Saturday *Auguſt* 26. *Eſſex* began his March from *Colebrook* to *Beaconsfield*, and ſo forward to *Beerton*, where he cloathed his Army.

Upon Intelligence of this Advance, Prince *Rupert*, with the greateſt part of the King's Horſe, drew off from before *Glouceſter*, to oppoſe their March: But the King, with the Groſs of his Army, continued the Siege. About *Biceſter* 400 of the King's faced a Part of the Parliaments Army, and skirmiſhed with them; but oppreſſed with Numbers, were forced to retire. And ſcarce a Day paſſed in the whole March, but ſome of the King's Troops fell foul of ſome part or other of *Eſſex*'s Army, who therefore were force to march very orderly and circumſpectly.

On the Firſt of *September*, Colonel *Manwaring*'s Brigade (conſiſting of the City Trained-bands and Auxiliaries) came up, and joined with *Eſſex* at the General Rendezvous, on *Brackley-heath*. On the Fourth of *September*, near *Stow the old*, a ſmart Skirmiſh happen'd with Prince *Rupert*, who attacked them with about 4000 Horſe, and ſtill appeared before the Parliaments Army, as they march'd on, for many Miles together. On the Fifth of *September*, *Eſſex* advanced to *Preſbury-hills*, drew up his whole Army in view of the City of *Glouceſter*, and ſoon after diſcovered the Huts in the King's Camp on fire, they having deſerted the Siege. The General himſelf marched to *Cheltenham*; but the King's Forces often skirmiſh'd with him, and beat up his Quarters. On the Eighth of *September* he march'd with his whole Army to *Glouceſter*, and was joyfully received.

Eſſex enters *Glouceſter. Sept.* 8.

Having lain two Nights at *Glouceſter*, and furniſh'd that City with Neceſſaries, he marched to *Tewxbury*, and lay there five days, that in the mean time *Glouceſter* might get in Proviſions: He alſo drew part of his Army towards *Upton*, and made a Bridge over *Severn*, near *Tewxbury*, as if he would have march'd for *Worceſter*; ſo that the King's Forces had their eye that way: When on a ſudden, *Eſſex* being advertiſed of a Body of theirs at *Cirenceſter*, that had laid in great Store of *Proviſion* for their Army, he being in great Want of Victuals, made a long March, and fell upon them about One a Clock in the Morning, ſurprized two Regiments, and took 40 Loads of Proviſion, 6 Standards, 300 Common Soldiers, and 400 Horſes; the ſaid Forces

Eſſex marches after the Relief of *Glouceſter*.

being

being designed for *Kent*, to raise an Army there for the King, and Sir *Nicholas Crispe* to command them. 19 *Caroli*

From thence *Essex* march'd to *Cricklade* and *Swinden*, and the Van and Body of his Army being almost over *Auburn-Chace*, a Gallant Body of the King's Horse fell upon the Rear-Guard, and routed them; forcing them in Disorder to retire to the main Body, where they were again drawn up in Order. But the King's Horse once more advancing, put their Enemies the second time into Confusion: Till Sir *William Stapleton*, coming in with fresh Forces, put a Stop to their Career; and much Gallantry was shewn, and many killed on either side, till Night gave a Period to their Disputes; wherein on the King's Party was slain the Marquis *de Vienville*: And on the Parliament's, Captain *Middleton* and Captain *Hacket*; and Colonel *Sheffield* lost a Standard. That Night *Essex* Quartered at *Hungerford*.

On Tuesday the 19th of *September*, *Essex* marched from *Hungerford*, towards *Newbury*; and being come within two Miles of that Town, His Majesties Forces shewed themselves upon a Hill, whose whole Army, having prevented *Essex*, were already got into Possession of *Newbury* Town. Next Morning by break of day, *Essex* gave Orders for his Men to march to *Biggs-hill*, near *Newbury*, as the only convenient place for them to gain, that they might with better Security force their Passage. But of this Hill the King's Forces had possessed themselves: Whereupon, to remove them, *Essex* marching himself at the head of his own Regiment, Colonel *Barclay*'s and Colonel *Holburn*'s Brigades, charged upon them so fiercely, as he beat them off, and kept the Hill all the day, though hotly charged both by Horse and Foot of the King's Party. Sir *Philip Stapleton*, with *Essex*'s Guard and Regiment of Horse, seconded by Colonel *Dalbeir*'s Regiment, were charged by a Party of the King's Horse, whom they so well received, (giving no Fire till joyned close with them) that they wholly routed them, and pursued them, with great Execution, near to the place where their whole Body of Horse stood: Whence some fresh Regiments advanced again upon Sir *Philip*, but with the same Success. In the mean time, the other Regiments, *Ramsey*'s, *Harvey*'s, and *Goodwin*'s, were come to him, when the King's Horse with their whole Body charged upon them bravely, and were as well received; Sir *Philip Stapleton* being charged both in Front and Flank, and both Parties all mixt together, and many slain on either side in that Confusion; *Stapleton*'s Men were at last forced towards the Lanes end, where they first came in; which being near their Foot, the Royalists were obliged to disingage themselves as fast as they could: for those that entred with the Enemy into that Lane, were generally cut off, and three Colours of Horse taken. The Left Wing of the Parliaments Horse, and the Right Wing of the King's, could not come to any Engagement, but in small Parties, by reason of the Hedges. *Newbury* Fight *Sept.* 20, 1643

Whil'st these Actions passed between the Horse, the Foot were not idle. Major-General *Skippon* having ordered the Lord *Roberts*'s Brigade and his own, Sir *William Springer*'s, Colonel *Manwaring*'s, and the red and blew Auxiliary Regiments, to be a Guard to the Artillery, and to be near the General, looking from the before-mentioned *Biggs-hill* towards *Newbury*, perceived a great Strength of His Majesty's, both Horse and Foot, in divers great Bodies, advancing directly towards the Way the Train was of necessity to march: Therefore to prevent their falling upon it, or upon the Rear of those of his Party, that were Engaged on the Hill, the Lord *Roberts*'s Brigade, with four small

An. 1643. Pieces, were placed juſt where the ſaid Forces of the King's were advancing, and checkt their March, and made them retire; the Lord *Roberts* poſſeſſing the Ground which they firſt came up unto. Colonel *Manwairing*'s Regiment was placed on the Right hand, between the Hill and *Roberts*'s Brigade; but after a while, was commanded away by the General, to relieve his own Regiment, and Colonel *Barclay*'s and Colonel *Holburn*'s Brigades, which had been four hours upon very hot Service. But this Regiment were no ſooner thus brought on, but they were over-charged, and forced to retreat, and loſe that Ground which the fore-mentioned Forces had gotten: Which Colonel *Holburn* perceiving, he, with his own and *Barclay*'s Brigades, and the General's Regiment, again advanced, beat back the King's Forces, regained the Ground, and maintained it all the day afterwards.

The Fight all along the Valley, more than half a Mile in length, was continued as long as in any other part of the Army, which was till Ten a Clock at Night; about which time the Royaliſts gave a good round Salvo upon Colonel *Barclay*'s and Colonel *Holburn*'s Poſts, till Major-General *Skippon* eſpied an Advantage to pour in eight or nine Demy-Culverin Shot upon them. Then he rallied the two Trained-Band Regiments into one Body, and deſired Major *Boteler* to draw the Muſqueteers of his Regiment on the Right hand, before the two Demy-Culverins that were placed at the end of the Lane, on the top of the Hill; and the red Auxiliaries on the Left of theſe Pieces. Whilſt this was doing, two Pieces which belonged to the Major-General's Regiment, and one Drake of Sir *William Brook*'s, were by the General's Regiment, under the Command of Major *Boteler*, with the Aſſiſtance of 200 Muſqueteers, recovered. And the Royaliſts drew away from their Pikes (which with their Colours kept ſtanding, with many great Bodies of Horſe to guard them) 5 or 600 Muſqueteers, beſides Dragoons, to encompaſs the Parliamentarians on the Right hand, amongſt the Hedges; but they were beat off by 300 Muſqueteers of the *Forlorn-Hope*, who were going to the Relief of *Barclay*'s and *Holburn*'s Soldiers. By this time Night grew on, when the King's Forces, both Horſe and Foot, ſtood in good Order on the farther ſide of the Green. And *Eſſex* did expect to have had a ſecond Engagement the next Day: but in the Night the King's Forces retreated: And *Eſſex* next Morning march'd quietly over the Ground where the Battel had been fought, towards *Reading*; where he arrived with the whole Army on Friday *September* 22.

Eſſex marches towards *Reading*.

But by the way, at the Entrance of a Village called *Theale*, part of the King's Army, conſiſting of 800 Muſqueteers, and moſt of their Horſe, fell upon *Eſſex*'s Rear-Guard, and put them to the Rout, ſo that they ran over and diſordered their Foot; and much Miſchief was done, till Colonel *Middleton*, drawing up the Foot in order, charged the Royaliſts, and made them Retreat.

Skirmiſh at *Theale*.

In this Battel there were Slain on His Majeſty's ſide, Three of the Nobility, *viz.* The Earl of *Carnarvan*, the Lord *Spencer*, newly created Earl of *Sunderland*; and the Lord Viſcount *Faulkland*, His Majeſties Principal Secretary of State, who in the Morning of the Battel called for a clean Shirt; ſaying, That if he were Slain, they ſhould not find his Body in foul Linnen: Some of his Friends diſſwaded him from venturing himſelf, as having no call to it, being no Military Officer; but he replyed, That he was weary of the Times, and foreſaw much Miſery to his own Country, and did believe he ſhould be out of it before Night.

On

On the Parliaments part were Slain Colonel *Tucker*; and the Lieutenant-Colonel of *Essex*'s Regiment, one Captain of Horse, and about 500 Common Soldiers. The loss on the Kings side was far greater, both in number, and the Quality of the Persons. 19 *Caroli*

In a relation of this Battel Printed at *Oxford*, 1643. it is affirmed, That the King's Army spent Fourscore Barrels of Powder that day; which was Twenty more than served their turn at *Edge-Hill*. The Fight continued from Seven a Clock in the Morning, till Seven or Eight at Night; and both Parties shewed the height of Courage and Resolution. His Majesty, after this Battel, drew off His Army to *Oxford*, where he Arrived, *Septemb.* 23.

Votes of both Houses concerning Col. *Massey*, and the Garison of *Gloucester*, *Sept.* 15.

REsolved, *&c. That Colonel* Massey *have* 1000 *l. bestowed upon him as a Reward and Acknowledgment of his Service, whereof* 500 *l. to be paid in present. And that it be Recommended to my Lord General to prefer him to some place of Honour and Profit: And that the Committee for Advance of Moneys, take care that this* 1000 *l. be paid with all convenient speed. That the Arrears of the Garison of* Gloucester *shall be forthwith paid: And that the Officers and Soldiers of that Garison shall have a Months Pay bestow'd upon them as a Reward of their Service.*

Captain *Backhouse* tamper'd with to betray *Gloucester*.

Some time after the Raising of this Siege of *Gloucester*, a design was set on Foot to gain that City another way: In order to which, one *Edward Stanford*, Esq; a Lieutenant Colonel in the King's Army, having formerly been very intimate with *Robert Backhouse*, a Captain of Horse in *Gloucester*, sent the following Letter to him on the 19*th* of *November*, 1643.

Good Robin!

Stanford's first Letter to *Backhouse*, *Nov.* 19. 1643.

IT *is not unknown to you, That once I loved you, and therefore I send this to Advise you, whil'st it is in your Power to make use of it; and, take my Word, I am confident as yet you may not only have your Pardon, but raise your self a greater Fortune than the condition of those you serve are able to afford you. This you may gain by the Delivery —— You may guess my meaning of what place, which is not hard for you to do. You know the old saying,* Fallere fallentem non est Fraus: *This is the advice of him that when you shall desist the Cause, will ever be*

Your Loving Friend,

Edward Stanford.

This Letter was sent by a good Friend of *Backhouses*, who told him, If he would undertake the Business, he might have 5000 *l.* Reward. But *Backhouse* imparted it to the Governor; and by Consent, wrote back a complying Answer, and desired a Settlement of Correspondence, which was done, and many Letters pass'd between *Stanford* and him, and Projects debated for the method of bringing the King's Forces into the City: And the Design being somewhat ripened; for *Baskhouses* greater Assurance, my Lord *Digby* wrote him the following Letter from *Oxford*.

The Lord *Digby*'s Letter to *Backhouse*, *Decemb.* 14.

SIR,

YOu *have so far declared your desires to serve His Majesty, unto my very good Friend Mr.* Stanford, *That I think it fit you should now receive some more Authentick Assurance of His Majesties Gracious Acceptance thereof, than perhaps you will think his bare Engagement to be: Therefore I do here solemnly engage my Word unto you,*

An. 1643.

you, both as a Minister of State, and as a Gentleman, That if you shall perform faithfully what you promise there, you shall punctually receive immediately after, such a Pardon as your self shall desire; and the Sum of 2000*l. as for the* 300*l. which you desire in present, such a Confidence I will have in your Word, That as soon as ever I shall have received your Answer to this, under your Hand, it shall be forthwith paid into what place soever you shall appoint, or to what Person. As for the particular ways of effecting our Design, those you propose are very rational; but the Choice and Disposition of that must be between you, and those who are to execute it, with whom, if it were possible, you should procure a Meeting at some unsuspected place. I do propose unto you your choice of several Men, and whom of them you shall like best, and think fittest by reason of the place where his Command is: To him alone, and no others, the business shall be Imported; whether Sir* William Vavasour, *Commander in Chief of the Forces now in* Glocester-*shire, or Colonel* Mynne, *Commander of a Brigade of the* English *come out of* Ireland, *or Colonel* Washington, *who is at* Evesham; *or lastly, whether the Governor of* Berkly-*Castle; As soon as you shall send me an Answer, you shall receive satisfaction from Him, who hopes you will so behave your self as to make me*

Your Friend,

Oxford *this* 14*th of* Decemb. 1643. *George Digby.*

Captain *Backhouse* returned his Lordship an Answer, and chose Sir *William Vavasour* to be the Man for the Work; and between them Two afterwards several Letters pass'd: And on the 8*th* of *January* he met *Stanford* in *Corse-lane*, and consulted the business, and *Stanford* then paid him 200*l.* and promised to discharge him of a Bond of 50*l.* he owed to one *Font* a Papist. On the 15*th* of *February* it was agreed between them, the King's Forces should advance to the *West*-Gate, and *Backhouse* should there let them in; who that Evening sent them the *Word*, which was *Bristol*: But as soon as this Message was sent, the Governor, Colonel *Massey*, call'd a Council of War, and acquainted them with the whole Plot, and ordered both the Soldiers and Citizens to be in Arms; and Four Men were Planted under *Overs-bridge*, (over which the King's Forces were to come) that upon Shooting off the first Gun, they should cut a Cable-Rope, which being done, the Bridge would have fall'n in, and so their Retreat being Intercepted, they must all have been Kill'd or Taken. But *Backhouses* Letter coming late; tho' they did advance with their whole Body of Horse and Foot, yet when they came to *Lassington*-Hill, within a Mile of the Town (it was fair day) whereby having lost their time by their own slowness of March, they durst not come on, but instantly retreated to *Newent*; and so *Glocester* expected them in vain. *Backhouse* endeavoured to draw them on again, but in few days they had notice how he had discovered the business that Night, and so desisted from any further Correspondence with him.

Backhouse receives 200*l.* The 15. *Feb.* appointed for the Surprize.

The King's Forces come too late.

Serjeant Major General *Skippon*, with about 1000 Foot, a Party of Horse, and Four Pieces of Artillery, march'd from *Newport-Pannel*, *Decemb.* 21. to *Grafton-Regis*, where the King's Forces had a strong Garison in an House of the Lady *Craines*, and the Church; and after Three days Siege, Sir *John Digby* the Governor, desired a Parley, and it was agreed, To Surrender the House, and all within it Prisoners, together with all Arms, Horses, Standards, Colours, and Provisions whatsoever: That all Women and Children, and such others as had not been in Arms should immediately be set at Liberty.

The Taking of the Garison at *Grafton*, by Major General *Skippon*, *Dec.* 24.

The

19 *Caroli.*

The Priſoners Taken here, were,

Sir *John Digby,*
Major *Brookband,* who having formerly Deſerted the Parliaments Service, was Tryed for the ſame by a Council of War, Condemned, and Shot to Death.
Captain *Clark,*
Captain *Longfield.*
Captain *Butler.*
Eighty Troopers with their Arms: An Hundred Foot.
Three Miniſters; and ſeveral Gentlemen that came thither Voluntiers.

Of the State of the Gariſon of *Plimouth* this Year 1643.

About the middle of *Auguſt,* 1643. a Party of the King's Horſe taking up their Quarters at *Plimſtoke,* and other Villages near to *Plimouth,* and placing conſtant Guards, laid ſuch a Blockade upon that Town, That no ſorts of Proviſions could be got into it from any part of the Country, which continued ſo about Six Weeks, without any conſiderable Action on either ſide: In which time it was diſcovered, That Sir *Alexander Carew,* Governor of the place, called the Iſland there, held ſome Correſpondence with the King's Forces, and had a deſign to yield up the ſame to them, which would have neceſſitated the Surrender of the Town; which his Soldiers no ſooner perceived, but they ſeized him, and he was ſent up to *London,* Committed to the *Tower,* and afterwards Beheaded; as in its proper place we ſhall relate.

Septemb. 17. Collonel *James Wardlaw,* appointed by the Two Houſes to be Commander in Chief in that Town, together with Colonel *Gould,* and about 600 Soldiers, took Shipping at *Portſmouth* and arrived at *Plimouth,* the laſt of that Month. Whoſe firſt Exploit was a Surprize of the Royaliſts Guards at *Howe,* where were Taken, one Captain *Slowley,* and an Enſign, and 52 Common Soldiers, Two Colours, and Three Barrels of Powder.

On the *6th* of *Octob. Dartmouth* was Surrendred to Prince *Maurice,* who ſoon after began to March with his whole Army towards *Plimouth*; but in the mean time, thoſe of the Town made a Sally upon the Guards at *Knockers-Hole,* about Two Miles from their Works, and took ſome Priſoners: But following the Purſuit too far, were Intercepted by a Party of the Beſiegers from *Roborrow-Down,* and moſt of them Taken; but Major *Searle* Charged through and got home.

The firſt conſiderable Attempt the Beſiegers made, was *Octob.* 21. on the Fort called *Mount-Stanford,* and with great Gallantry Attack'd it; but after brisk Service on either ſide were Repulſed: Yet on the *4th* of *November* following, they Storm'd it again; and with continual Batteries and Approaches having wearied out, and Bankrupted them in the Fort of Ammunition, gain'd the ſame upon Articles: To march out with Colours Flying, Match lighted, Bullet in Mouth, one Demi-Culverin from the Breaſt-work, and exchange of Priſoners.

The Loſs of this Fort cauſing ſome Conſternation in the Town, the Governor Impoſed the following Oath or Proteſtation, which was generally taken.

I A. B. *in the preſence of Almighty* GOD, *do Vow and Proteſt, That I will, to the utmoſt of my Power, by* GOD's *Aſſiſtance, faithfully maintain and defend the Towns of* Plimouth *and* Stonehouſe, *the Fort and Iſland, with all the Outworks and Fortifications to the ſame belonging, againſt all Forces now raiſed againſt the ſaid Towns*

An. 1643.

Towns of Plimouth *and* Stonehouſe, *the Fort and Iſland, or any part thereof, or that ſhall be raiſed by any Power or Authority whatſoever, without the Conſent and Authority of both Houſes of Parliament. Neither will I, by any way or means whatſoever, contrive or conſent to the giving up of the Towns and Fortifications aforeſaid, or any parcel of them, into the hands of any Perſon or Perſons whatſoever, without the conſent of Both Houſes of Parliament, or of ſuch as are Authoriz'd thereunto by them. Neither will I, by GOD's Grace, raiſe, nor conſent to the raiſing of any Force or Tumult; nor will I, by any way or means give, or yield to the Giving any Advice, Counſel, or Intelligence to the prejudice of the ſaid Towns and Fortifications, either in whole, or in part: But will, with all poſſible ſpeed faithfully diſcover to the Mayor of* Plimouth, *and to the Commander in Chief there, whatſoever deſign I ſhall know, or hear of, hurtful thereunto. Neither have I accepted any Pardon or Protection: Nor will I accept any Protection from the Enemy. And this Vow and Proteſtation I make, without any Equivocation and Mental Reſervation whatſoever: Believing that I cannot be Abſolved from this my Vow and Proteſtation, and wiſhing no Bleſſing from GOD on my ſelf or my Poſterity, if I do not truly and ſincerely perform the ſame: So help me GOD.*

Plimouth, Novemb. the 4*th*, 1643.

IT is this day Ordered by the Council of War, That this Vow and Proteſtation be openly Publiſhed in the Aſſemblies by the Miniſters of this Town to Morrow, being the Fifth of Novemb. 1643: *And that it may be preſented particularly to all Officers and Soldiers, Inhabitants and Strangers of the Towns and Gariſons of* Plimouth *and* Stonehouſe: *And that eſpecial Notice be taken of all ſuch as ſhall refuſe to take the ſaid Vow and Proteſtation.*

Novemb. the 11*th*, A Sally being made out of the Town, they were beat in again by His Majeſties Forces, and one Major *Leyton* taken Priſoner.

Novemb. 18. The following Summons was ſent into the Town.

To the Mayor and Governor of the Town of *Plimouth.*

THat you may ſee our hearty deſires of a juſt Peace, We do Summon you in His Majeſty's Name, to Surrender the Town, Fort, and Iſland of Plimouth, *with the Warlike Proviſions thereunto belonging, into our hands for His Majeſty's uſe. And we do hereby aſſure you, by the Power derived to Us, from His Majeſty, upon the performance hereof, of a general Pardon for what is paſt: And engage our ſelves, in our Honour, to ſecure your Perſons and Eſtates from all Violence and Plunder: We have now quitted our ſelves, on our parts, and let the Blood that ſhall be ſpilt in the obtaining of theſe juſt Demands (if denied by you) be your Guilt.*

Given under our hands at *Mount-Stanford*, Novemb. 18. 1643.

John Digby.	John Arundel.
Thomas Baſſet.	Thomas Monk.
Peter Killigrew.	William Arundel.
John Wagſtaff.	John Downing.
Jonathan Trelawny.	Thomas Stukely.
R. Prideuaux.	

To this Summons, thoſe of the Town return'd no Anſwer.

On the 3*d* of *December* the King's Forces ſurpriz'd the Town's Guard at *Lazy-Point*; and in it Three Pieces of Ordnance. To retrieve which, 150 Horſe, and 300 Muſqueteers advanced next Morning at break of day, from the Town, but were beat back, and Captain *Wanſey* Slain, and the whole Party put to an abſolute Rout: yet freſh Forces

Forces coming forth, the Beſiegers were forced to an haſty Retreat, and their Rear-Guard of Horſe, being about 100, forc'd into the *Mud*, between *Lypſon-Work* and *Lare-Point*, where moſt of them were either Taken or Drown'd: But in this Action divers Officers of the Town were Kill'd, Taken or Wounded. 19 *Caroli.*

Decemb. 18. The Beſiegers began their Batteries; but being Counter-Batter'd from the Works, whereby their Men could not ſtand ſafely to their Ordnance, did little Execution.

On *Chriſtmas*-day, in the Morning, the Beſiegers quitted their Leaguer; but afterwards, at a diſtance, continued a *Blockade*. Thoſe of *Plimouth*, in this Siege, took notice, as an eſpecial Providence, That after the Town had been a conſiderable time Environ'd, and no freſh Proviſion could be had, whereby the Poor were much ſtreightned, there came a vaſt multitude of Pilchards into the Harbour, within the Barbican (not known before) which the People with eaſe took up in Baskets; and thereby not only Relieved themſelves, but got ſuch abundance, as being Preſerved and Salted, yielded them ſtore of Money.

From *Chriſtmas* till *January* 26. there happened no Action, but afterwards frequent Skirmiſhes all the Spring.

Actions of the Forces arrived to ſerve the King from *Ireland.*

Part of the *Engliſh* Army that had ſerved in *Ireland*, upon the Ceſſation made with the Rebels there, *Sept.* 15. 1643. (of which at large hereafter in its proper place) were brought over to ſerve the King in *England*, and Landed at *Moſtyn* in *Flint*-ſhire, in *Nov.* 1643. Their firſt Attempt was on *Hawarden*-Caſtle, to which they ſent a Verbal Summons, by a Trumpet; and thoſe in the Caſtle, for an Anſwer, return'd a Paper containing theſe Words:

They Beſiege *Hawarden*-Caſtle, *Nov.* 21. 1643.

To the Gentlemen lately come from the Service in *Ireland.*

Gentlemen!

The Caſtle's Anſwer to their Summons.

WE *are heartily ſorry, That you have made ſuch an unhappy exchange of Enemies, to leave* Iriſh *to fall upon* Engliſh, *and* Papiſts *to fall upon* Proteſtants. *We had hoped the Blood of that noble Gentleman Sir* John Harcourt, *and the many Thouſands of* Proteſtants, *who have fall'n by the fury of theſe Bloody Monſters of* Ireland, *could not ſo ſoon have been forgotten. What courſe the Court of* England *runs, how deſtructive to the* Proteſtants, *and favourable to the* Papiſts, *you cannot but know (with us) by ſad experience. And therefore we deſire (before you paſs further) your Thoughts may make a pauſe, leſt you find, That* GOD *of the* Proteſtants *againſt you, whom you have hitherto found miraculouſly for you. We fear the Loſs of our Religion, more than the Loſs of our deareſt Blood. Do not therefore, we beſeech you, deſire Us to Betray It and our ſelves. We hope your ſecond Thoughts may take off the Edge of your former Reſolutions: However, we are reſolved to make good our Truſt, and put our Lives into the hands of that* GOD, *who can, and, we hope, will ſecure Them more than our Walls or Weapons.*

Nov. 21. 1643.

John Warren.
Alexander Elliot.

Their Reply.

The Reply of Lieutenant Colonel *Marrow*, (who Commanded the Party at that preſent before the Caſtle, the reſt not being yet come up.)

Gentlemen!

IT is not for to hear you Preach *that I am ſent here; but in His Majeſties Name to demand the Caſtle for His Majeſties uſe: As your Allegiance binds you to be true to him, and not to Inveigle thoſe Innocent Souls that are within with you: So I deſire your Reſolution, If you will deliver the Caſtle or No?*

An. 1643.

The Rejoinder from the Caſtle.

The Caſtles Rejoinder.

SIR!

WE *have Cauſe to ſuſpect your Diſaffection to* Preaching, *in regard we find you thus imployed; If there be Innocent Souls here, God will require their Blood of them that ſhed it. We can keep our Allegiance, and the Caſtle too, and therefore you may take your Anſwer, as it was in Engliſh plain enough before; We can ſay no more but Gods will be done.*

On the 22d of *November*, the Body of the Forces from *Ireland* being come up, another Summons was ſent in from Sir *Michael Ernley* and Major-General *Richard Gibſon*; And two days after that, the Lord *Capel* having join'd the Beſiegers with his Troops, he alſo Summoned it; both which received like Anſwers as the firſt.

A Letter ſent to the Caſtle from one Captain *Sandford*.

Nov. 28. Captain *Sandfords* Big Letter.

Gentlemen,

I *Preſume you very well know, or have heard of my Condition and Diſpoſition, and that I neither give, nor take Quarter. I am now with my Firelocks, (who never yet neglected opportunity to correct Rebels) ready to uſe you as I have done the Iriſh, but loth I am to ſpill my Countrymens Blood; wherefore by theſe I adviſe you to your Fealty and Obedience towards His Majeſty, and ſhew your ſelves Faithful Subjects by delivering the Caſtle into my Hands, for His Majeſty's Uſe; In ſo doing you ſhall be received into Mercy,* &c. *otherwiſe, if you put me to the leaſt trouble, or loſs of Blood, to force you, expect no* Quarter for Man, Woman, or Child. *I hear you have ſome of our late Iriſh Army in your Company; They very well know* me, *and that* my Firelocks *uſe not to* Parley. *Be not unadviſed, but think of your Liberty; for I Vow, all Hopes of Relief are taken from you; and our Intents are not to* Starve *you, but to* Batter *and* Storm *you, and then* Hang you all, *and follow the reſt of that Rebel Crew. I am now no Bread-and-Cheeſe-Rogue, but as ever, a Loyaliſt, and will ever be, whilſt I can Write or Name*

I expect your ſpeedy Anſwer, this Tueſday Night at *Broadlane-Hall*, where I am now your near Neighbour.

Tho. Sandford.

To the Officer Commanding in chief at Hawarden-Caſtle, *and his Conſorts there.*

After a Fortnights Siege, and much *Ink*, but little *Blood* ſpilt, the Caſtle being in want of Proviſions, was Surrendred to Sir *Michael Ernley*, on Conditions to march out with half Arms, and two Colours of three, one Flying, and the other Furl'd; and to have a Convoy to *Wem* or *Nantwyche*.

Hawarden- Caſtle Surrendred, *Dec.* 4.

After this Succeſs, the Royaliſts being Reinforced with more Regiments new landed, came before *Beeſton* Caſtle, and ſoon got poſſeſſion thereof, (for which the Governor was afterwards Tryed and Executed for a Coward) and ſo became Maſters of all that part of the Country adjoining to *Shropſhire*; and afterwards took freſh Quarters on the reſt of *Cheſhire*, Bordering on *Staffordſhire*.

They alſo take *Beeſton*-Caſtle.

To oppoſe them, Sir *William Brereton* with ſome *Lancaſhire* Forces, drew up to *Sandbach*, but not daring to Engage, fell down to *Middlewyche*, where Sir *John* (lately Created Lord) *Byron*, Commander in Chief of the Forces from *Ireland*, fell upon Colonel *Aſhton*, routed him, and cut off above One Hunderd of his Men, which cauſed *Northwyche* to be quitted unto them; And *Crew-Houſe*, after a ſtout Reſiſtance,

And *Northwich*, And *Crew-Houſe*,

19 *Caroli.*

And *Dedington-House*, And *Acton-Church*. *Nantwyche* Besieged.

sistance, was forced to Surrender; As also did *Dedington-House* without a Shot; And *Acton* Church after some small Opposition, so that there was no Garison near, that held out for the Parliament but *Nantwyche*; Which Town the Lord *Byron*, about the beginning of *January* Besieged with a great Force, and Summoned them once, and a second time, but they persisted in denial to yield it up. Captain *Sandford* also sent them this frightful Letter.

To the Officers, Soldiers, and Gentlemen in *Namptwyche*, these;

Captain *Sandford's* Letter to them of *Nantwyche*.

YOur Drum can inform you, Acton Church is no more a Prison, but now free for honest Men to do their Devotions therein; Wherefore be perswaded from your Incredulity, and Resolve God will not forsake his Anointed. Let not your Zeal in a bad Cause dazle your Eyes any longer, but wipe away your vain Conceits, that have too long led you into blind Errors. Loth I am to undertake the Trouble of perswading you into Obedience, because your Erroneous Opinions do most violently oppose Reason amongst you; But however, if you love your Town, accept of Quarter; and if you regard your Lives, work your Safeties by yielding your Town to the Lord Byron, *for His Majesty's Use. You now see my Battery is fixt, from whence* Fire shall Eternally visit you, *to the terrour of the Old, and Females, and Consumption of your Thatch'd Houses; Believe me Gentlemen! I have laid by my former delays, and am now resolved to Batter, Burn, Storm, and destroy you. Do not wonder that I write unto you, having Officers in Chief above me, 'tis only to advise you, because I have some Friends amongst you, for whose Safety I wish you to accept of my Lord* Byron's *Conditions; He is Gracious, and will Charitably consider of you. Accept of this as a Summons, that you forthwith Surrender the Town; and by that Testimony of your Fealty to His Majesty, you may obtain Favour. My Firelocks you know have done strange Feats both by day and night; and hourly we will not fail in our private Visits of you. You have not as yet received mine Alarms, wherefore expect suddenly to hear from my Battery and Approaches before your Welsh Row.*

This 15th of *January*, 1643.

Tho. Sandford.
Captain of Firelocks.

Gentlemen,

Let these Resolve your Jealousies concerning our Religion. I Vow, by the Faith of a Christian, I know not one Papist in our Army; And as I am a Gentleman, we are no Irish, but true-born English, and real Protestants also Born and Bred. Pray mistake us not, but receive us into your fair Esteem. I know we intend Loyalty to His Majesty, and will be no other but Faithful in His Service: This Gentlemen, believe from

Yours,

January 15.

Tho. Sandford.

On the 18th of *January* the Lord *Byron* made a sudden and violent Storm upon five several places of the Town at once, but was beaten off with many of his Men kill'd, amongst whom was this Captain *Sandford*, Lieutenant-Colonel *Bolton*, and divers others of Note.

Nantwyche Relieved, and the Lord *Byron* discomfited.

In the mean time, Sir *Thomas Fairfax* advanced that way to raise the Siege, and came to *Manchester* the 12th of *January*, whence after some days stay to join other Troops, he marched forwards, and had a sharp Encounter with the Lord *Byron*; the particulars whereof are thus related in a Letter from Sir *Thomas Fairfax* (the Original whereof I have by me of his own Hand Writing) to General *Essex*.

An. 1643.

May it pleaſe your Excellency,

Sir *Tho. Fairfax's* Letter, giving an Account of the Fight near *Nantwych*, *Jan.* 25. 1643.

I Deſire your Pardon, That I have not given your Excellency an Account before this, of the great Mercy God hath ſhewed, in giving us a happy Victory over the Iriſh *Army, to a total Ruine of their Foot, and Purchaſe of their chief Commanders. Upon the* 21 *th of* January *I marched from* Mancheſter *towards* Nantwych, *to relieve that Town, with* 2500 *Foot and* 28 *Troops of Horſe. The Enemies Forces were above* 3000 *Foot, and* 1800 *Horſe. The firſt Encounter we had, was with a Party of theirs upon the Foreſt of* Delamore, *where about Thirty were taken Priſoners. About ſix Miles farther, they maintained a Paſs againſt us, with about* 200 *Men: I cauſed ſome Foot and Dragoons to be drawn out, to force it; which by God's Aſſiſtance they did in half an hours ſpace, and they took a Major and ſome Priſoners. Having advanced two Miles farther, we found a good Body of them planted about* Acton-Church, *a Mile from* Nantwych: *We drew up within Cannon ſhot, which ſometimes played upon us, but without hurt, God be thanked. We then underſtood, That the Lord* Byron, *who had beſieged the Town on both ſides of the River, was prevented, by overflowing of the Water, from joyning with that part at* Acton-Church; *but heard he was taking a Compaſs to get over the River, to joyn with it. We reſolved to fall upon that Party at the Church, before he ſhould get up to it; but ſtaying to bring up our Rear and Carriages, we gave him time to obtain that he ſought for. Then we reſolved to make way with Pyoneers through the Hedges, and ſo to march to the Town, to relieve it; and by it to add ſome more Force to our ſelves, to enable us better to fight with them: But being a little advanced in our March, they told me the Enemy was cloſe upon the Rear. So having about two Regiments, being Colonel* Holland's *and Colonel* Booth's, *I marched not far before we came to be engaged with the greateſt part of their Army. The other part preſently after aſſaulted our Front: There Sir* William Brewerton *and Colonel* Aſhton *did very good Service; and ſo did Colonel* Lambert *and Major* Copley, *with the Horſe. They were once in great danger, but that they being next to the Town, were aſſiſted by Forces which came to their Succour in due time. We in the other Wing were in as great Diſtreſs, but that the Horſe commanded by Sir* William Fairfax *did expoſe themſelves to great Danger, to encourage the Foot, though capable of little Service in thoſe narrow Lanes: Yet it pleaſed God, after two hours of hot Fighting, they were forced by both Wings to retreat to the Church; where they were caught, as in a Trap. A Liſt of what we took, I have here ſent your Excellency. Thus the Lord of Hoſts hath done great things for us; to whoſe Name alone be aſcribed all Glory: That nothing in the worthleſs Creature may any ways darken that which immediately appears herein of the Creator. Hoping ſtill he will go along with us to proſper in this way, and make me, though unworthy, more capable to ſerve him in it, and ſo to obſerve your Excellencies Commands, as it may appear how much I am,*

Namptwych, Jan. 29. 1643.

Your Excellencies moſt humble Servant,

Tho. Fairfax.

The LIST of Priſoners taken.

The Priſoners there taken.

Major-General *Gibſon.*
Sir *Michael Ernly.*
Sir *Richard Fleetwood.*
Colonel *George Monk.*
Colonel *Warren.*
Sir *Francis Butler*, Lieutenant-Colonel.
Lieutenant-Colonel *Gibbs.*
Major *Hammond.*
14 Captains.
20 Lieutenants.
26 Enſigns.
2 Cornets.
2 Quartermaſters.
Sir *Ralph Done.*
Mr. *Sherlock*, Chaplain to a Regiment.
41 Serjeants.
40 Drums.
4 Canoneers.
22 Colours.
1500 Common Soldiers.
6 Ordnance; whereof 5 Braſs.
20 Carriages, and divers Wagons.
120 Women, that followed the Camp; of whom many had long Knives, with which they were ſaid to have done Miſchief.

The

19 *Caroli.*

The Fight was reported, by thoſe that were in it, to have been as ſharp for the time, as any that had happen'd before in thoſe unhappy Wars. Of the King's Party there were computed to be about 200 ſlain: Their Horſe generally eſcaped, but few of their Foot, (ſave what were taken Priſoners.) The Parliament's ſide owned not above 50 of theirs ſlain. Amongſt other things, there were taken the Lord *Byron*'s Commiſſion, and ſeveral Privy-Seals to Gentlemen of *Lancaſhire* for the Loan of Monies, *&c.*

Monk.

Colonel *Monk* (with Colonel *Warren*) was afterwards ſent up to *London*, and committed to the Tower; where having paſſed ſome time in Reſtraint, he took up Arms under the Parliament, and (after many Revolutions) proved the famous Inſtrument of King *Charles* the Second's happy Reſtauration.

Action in *Pembrook-ſhire*, in *Jan. Feb.* and *March*, 164⅔.

The Town of *Pembrook* ſtood out for the Parliament, where Colonel *Rowland Laugharn* was Governour, but had not above 200 Foot and 50 Horſe; and the Earl of *Carbery*, His Majeſty's Lieutenant for thoſe parts, had the Command of all the reſt of the Country, and placed ſeveral Gariſons round about, as at *Tenbigh* and *Haverford* Towns, *Carew* and *Roach* Caſtles, and other places; whereby he had in a manner blockt them up. His Lordſhip alſo ſent for two Ships to *Briſtol*, with Ordnance and other Proviſions, to fortifie *Milford-haven*, and thereby not only ſecure a convenient Landing-place from *Ireland*, but interrupt any Forces from coming by Sea to the Relief of *Pembrook*, and hinder the Parliaments Shipping of the Advantage of that Harbour. But before this could be done, the Parliaments Fleet, in all ten Sail, under Captain *Swanley* in the *Leopard*, arrived on the 23d of *January* at the ſaid Haven: To whom Colonel *Laugharn* ſends for Relief; which *Swanley* readily promiſes: And withal writes a Letter, dated the 25th of *January*, to the Gentlemen of *Pembrook*, inviting them to joyn with him; declaring, That ſuch as would not, ſhould expect no Favour from him, but be lookt upon as Enemies to God and their Country. Upon his Arrival, the two before-mentioned *Briſtol* Ships got into a Creek of the Harbour, called *Prickſpill*, or *The Pill*; and for their Defence, Sir *Henry Vaughan*, Serjeant-Major-General of the three Counties, of *Pembrook*, *Caermarthen*, and *Cardigan*, erected a ſtrong Fort, wherein he Planted divers great Guns, and amongſt the reſt, thoſe that ſhould have gone to fortifie the Haven.

Admiral *Swanley* arrives at *Milford-Haven*, *Jan.* 23.

Swanley landing at *Pembrook* two hundred Seamen, with ſtore of Powder, Shot, Match, *&c.* and ſome ſmall Pieces of Cannon; the Governour, with about 300 Foot and 50 Horſe, went forth on the 30th of *January*, and took *Stack-pool-houſe*, belonging to Mr. *Lett*, a private Gentleman, and Gariſon'd for the King. Some days after, he marched to *Treffloin*, another Gariſon'd Houſe, which they alſo took, (but not without ſmart Service) and in it 40 Horſe, with their Arms and Furniture, and 150 Foot, with their Arms. Encouraged by this Succeſs, they reſolved to go over to *Rouſe-ſide*, and attempt the before-mentioned Fort at *The Pill*. In order to which, all the Boats belonging to the Fleet were ſent up near *Pembrook-ferry*, and on the two and twentieth of *February* in the Night, the Forces were carried over, and landed without Oppoſition. And next Morning *Swanley* ordered his Ships to lie as near as they could to the Fort, and batter it on the *Eaſt* and *Weſt* ſides, whil'ſt the Land Forces attackt it; which they did ſo vigorouſly, that thoſe within demanded Quarter. There was taken Mr. *John Barlow*, Maſter of the Ordnance, and five Captains; 18 Pie-

Col. *Laugharn* Governour of *Pembrook*, takes ſeveral Gariſons.

ces

An. 1643.

ces of Ordnance, ſix Field-Carriages, and 300 Common Soldiers, with their Arms. And now the two *Briſtol* Ships fell into their hands by conſequence, wherein were 12 Pieces of Ordnance, and ſix Barrels of Powder.

The Adventure of a Herd of Black-coats at *Haverford Weſt*.

Tidings of this Loſs being brought to Sir *Henry Vaughan*, who lay with two or three hundred Horſe and Foot at *Haverford Weſt*, he ordered a ſtrict Watch to be kept, for giving notice if the Enemy ſhould approach thither. Now it happened one *Wheeler*, a Graſier, having a great Drove of Cattle feeding on the Hills, they happen'd in the Evening to make towards the Town; and being diſcovered by the Centinels, they gave the Alarm, That the *Roundheads* were coming: Whereupon Sir *Henry* and his Party immediately quitted the Town, leaving behind Ten Pieces of Ordnance, and ſtore of Proviſions, and three or four Barrels of Powder thrown into the River, and went to *Caermarthen*: Colonel *Laugharn* being ſtill at *The Pill*; but next day took Poſſeſſion of *Haverford*.

Tenbigh taken, *March* 7.

On the Seventh of *March* he proceeded to attack *Tenbigh*, where Commiſſary *Gwyn* was Governour, and made a reſolute Defence: But after Three days Battery, a great part of the Town being beaten down, it was taken by Storm, but not many kill'd; the Governour, and Colonel *David Gwyn*, the High-ſheriff of the County, and about three hundred Soldiers made Priſoners, and their Arms taken, and ſeveral Pieces of Ordnance. And on the Tenth of *March*, *Carew-Caſtle* was ſummoned, and ſurrendred on Honourable Terms; and ſo the whole County of *Pembrook* fell under the Command of the Parliament.

Col. *Haſtings* worſted in *Leiceſterſhire*, *Mar.* 3. 164¾.

Againſt Sunday the Third of *March*, there went forth a Summons to all the Clergymen, Churchwardens, and other Officers of the County of *Leiceſter*, to repair to the Town of *Leiceſter*, and take the Covenant; and many came accordingly. Notice being given of this to Colonel *Haſtings*, at *Aſhby de la zouth*, he, with Four Troops from *Beaver*, *Whorton-houſe*, and another Gariſon, ſcowred about the Country, as far as *Dinton* and *Littleworth*, and took near One Hundred of the Clergymen, and others, and carried them Priſoners to *Hinckley*; which the Parliaments Forces at *Leiceſter* being advertiſed of, ſent out a Party, who marching very ſilently, fell upon them, about Eight a Clock at Night, in their Quarters, undiſcovered; and not only Routed them, and Reſcued all the Priſoners, but alſo in their ſtead took 50 of Colonel *Haſtings*'s Party Priſoners, 150 Horſes, and ſome Arms and Ammunition.

The Siege of *Newark* begins *Mar.* 2. 164¾.

The Town of *Newark upon Trent*, in *Nottinghamſhire*, being a very conſiderable Paſs, and apt to command moſt of that County, and a great part of *Lincolnſhire*, was firſt made a Gariſon by the Earl of *Newcaſtle*, about *December*, 1642. when he and his Army came to *Pontfract*. And Her Majeſty, in her March from *York* to *Oxford*, made her Reſidence there for ſome time.

The Condition and State of this Town, and the Neighbouring Counties, will the better appear by the enſuing Remonſtrance thereof made to His Majeſty.

The

19 *Caroli.*

The Humble Remonſtrance of His Majeſties Commiſſioners for the Counties of *Lincoln* and *Nottingham*, now Reſident within the Gariſon of *Newark*, concerning the Eſtate and Condition of thoſe two Counties.

May it pleaſe Your moſt Excellent Majeſty.

A Remonſtrance to the King from the Gariſon of *Newark*, *Jan.* 31. 16$\frac{4}{4}$.

WE do in all Humility and Gratitude, acknowledge Your Majeſties Royal Interpretation and Acceptance of our Loyalty, and Care for the preſervation of this Gariſon for Your Majeſties Uſe and Service, expreſſed in Your Majeſties moſt Gracious Letters of the 17*th of this* January *inſtant, which we confeſs to be in Diſcharge of our Duties, and ſhall ever be moſt ready to make good with our Lives and Fortunes: And by the ſame Letters, we ſee of what great Import unto the Peace of the whole Kingdom Your Majeſty holds the Fortification and Conſervation of this Town, expreſſed and apprehended in ſo deep a Senſe, that we are not able to add any thing more, than to admire Your Majeſties Foreſight at this diſtance, and Your great Judgment of how dangerous a Conſequence it will be if this Town (which God defend) ſhould fall into the Mercy and Power of the Rebels.*

Now in Reſpect the very Being and Subſiſtence of this Gariſon, depends (next under God) upon the preſent Abilities and Safeties of theſe Your Majeſties two exhauſted Counties of Lincoln *and* Nottingham, *we beg Your Majeſties leave to make this our humble Remonſtrance of the State of each County, and to repreſent our Condition to Your Majeſties moſt Excellent Judgment.*

For *Lincolnſhire.*

All that County (except the little Gariſon of Belvoir) *is now in the poſſeſſion of the Rebels, where they hold* Lincoln, Gainsborough, Brigg, Tatſhall, *and* Bolingbrook *Caſtles, and that Seditious Town of* Boſton, *as Gariſons well Fortified, and are now Fortifying Sir* Robert Carr's *Houſe at* Sleeford, *(of no ſmall Annoyance to that part of the Country) and have raiſed, and are able to draw together out of theſe Gariſons above* 5000 *arm'd Foot, beſides Twenty Troops of Horſe.*

Sir John Meldrum *hath this laſt Week forced Sir* John Maney, *and his Horſes, out of the Iſle of* Axholme *in this County, and they are now Fortifying the ſame, (as we are informed) which makes them likewiſe Maſters of the Level, cloſe up to* Hatfield *and* Hull, *and in all the parts of* Lindſey *in the County of* Lincoln; *beſides what other Forces they have Communicable with theſe in the* Eaſt-Riding *of* Yorkſhire.

Theſe late Atchievements of Gainsborough, *and the Iſle, making way to the Rebels to paſs and repaſs at their Pleaſure into* Nottingham *and* Yorkſhire, *have moved his Excellency the Lord Marquis of* Newcaſtle *to Engariſon* Doncaſter *now in Fortifying, and to Command Sir* Charles Lucas, *with his own Regiment, and the* Lincolnſhire *Horſe, in all about* 1400, *to Quarter thereabouts for ſecuring that Fortification, which is like to be a work of time, and ſo to Procraſtinate Sir* Charles Lucas *his coming into theſe Parts, (whom we hoped to have been ſent by Your Majeſty for our immediate Aſſiſtance) to the apparent hazard of this Gariſon, and theſe two Counties, by ſuffering the Rebels, for want of force to repel them, to enjoy* Lincolnſhire *as in quiet Poſſeſſion; And we cannot but expect, that the whole Confluence of* Manchester's *and* Cromwell's *Forces, and what can be raiſed from the Aſſociated Counties, will be poured down more upon us, if not otherwiſe diverted by other Forces from Your Majeſty.*

Within few days after the Rebels took Lincoln, *they plundred all the Gentry, Your Majeſties Loyal Subjects, and whoſe Eſtates in the County of* Lincoln *lie near this Gariſon, and who firſt appeared here for Your Majeſties Service, drove, carried away, and Sold all their Goods; and have in like manner plundred the Goods of many other Gentlemen in the parts of* Lindſey, *to the value of many Thouſand Pounds, and have made their Lands Stockleſs and Waſte: And have ever ſince been abſolute Maſters of that County; and do Aſſeſs and Levy great Weekly Taxes in Money, beſides Men and Horſes, and beſides their new impoſed Exciſe, and the* 5*th and* 20*th parts of all Mens Eſtates; to the great advance of their Rebellion and Impoveriſhment of all Your Majeſties Subjects, and ſtill like to be more for want of Forces to reſiſt; inſomuch as little will be left, when your Majeſties Forces ſhall come into theſe Parts.*

For

An. 16.43.

For *Nottinghamſhire.*

That Night when Manchester *and the Rebels ſate down and Beſieged* Lincoln, *all the* Lincolnſhire *Horſe were Commanded from* Lincoln, *and drawn thence into* Nottinghamſhire, *where they have lived ever ſince upon free Billet and Quarter: And through theſe, and the many former Charges and Burdens of the like Nature upon this County, they are ſo Diſabled and Eaten up, that they cannot contribute any further Aſſiſtance to the ſupport of this Gariſon.*

Notwithſtanding all which, there hath been expended by Moneys borrowed upon Bonds by the Gentlemen of both Counties; And by Aſſeſſment upon the two Counties for maintaining of Your Majeſties Forces, and of this and other Gariſons in both theſe Counties, ſeveral Sums from the firſt beginning of this unnatural War by the Rebels, amounting to at leaſt Two Hundred Thouſand Pounds in the Total.

When we reflect upon the late Intelligence, That the Scots have now actually Invaded this Kingdom, and an Intimation to us, that this may farther neceſſitate the drawing away ſome part of theſe preſent Forces; And Sir Charles Lucas *with his Forces being now called away Northward, ſo deſtitutes this Frontier Gariſon thus Inviron'd with the Enemies Gariſons, and thoſe of* Leiceſter, Nottingham, *and* Derby, *(having in them about 3000 Horſe and Foot) of all help and ſuccour (ſaving what is within the Walls) to be drawn into the Field, that how we ſhall be able to oppoſe the Fury, Malice, and Multitudes of the Rebels, (if Beſieged, which we daily hear of and expect) and how Moneys or Proviſions can be had for preſent Maintenance and Subſiſtence, the Premiſes duly Conſidered, we do moſt humbly ſubmit to Your Princely Wiſdom, beſeeching Your Majeſty to take us into Your timely Conſideration, and to afford us a ſpeedy Aſſiſtance.*

Newark, Jan. 31. 1643.

J. Cobham.	Roger Cooper.
John Digby *Vicecom.*	Tho. Holder.
Edw. Huſſey.	Hugh Cartwright.
Robert Markham.	Robert Tredwey.
William Thorold.	John Burrell.
Charles Huſſey.	Edmund Thorold.
Ger. Nevile.	Tho. Harrington.
Chaworth.	Chr. Beresforde.
Antho. Eyre.	

About the beginning of *March* 164$\frac{3}{4}$; (The Earl of *Newcaſtle* having enough to do to attend the Scots Army then advanced into *England*;) The Lord *Willoughby* of *Parham*, and Sir *John Meldrum*, with about 5000 Horſe and Foot, came up againſt *Newark*; and firſt Colonel *King's* Regiment marched to the Counteſs of *Exeters* Houſe, and after a very ſmart Conflict, gained it. Then they began to make their Approaches, and the Town (whereof Sir *Richard Byron* was Governor) made ſeveral briſk Sallies; and one day, as part of Sir *Michael Hubbard's* Regiment were marching off the Guard towards their Quarters at *Balderton*, 100 Horſe came forth, and finding them without *Lighted Matches*, fell upon them, and took their Colours, and carried about 200 of them Priſoners into the Town.

Prince *Rupert* ordered to relieve *Newark*, *March* 12.

Prince *Rupert* being at *Weſt-Cheſter*, on *Tueſday*, *March* the 12th, received His Majeſties Commands to march with all ſpeed to the Relief of *Newark*. Whereupon his Highneſs next Morning haſted to *Shrewsbury*, ſpeeding away Major *Legg*, his *General of the Ordnance* before, to chuſe out ſo many Commanded Muskeeers of the Engliſh, late come out of *Ireland*, as might well be ſpared out of that Gariſon, (which were 1900 Musketeers of Colonel *Broughton's* and Colonel *Tillier's* Regiments, with 120 of Colonel Sir *Fulk Hunkes*) all which being ſent down the *Severn*, met the Prince at *Bridgenorth* on *Friday* the 15th of *March*; And of Horſe his Highneſs took along his own Troop and Regiment, with 150 of Major-General Sir *John Hurries*, and three Field

Field Pieces. Next day at *Wolverhampton* they were Recruited by 100 Horſe, and 200 Foot of Colonel *Leviſons*. 19 *Carbli:*

Meldrum hearing that Major-General *George Porter* was got into *Leiceſterſhire* with 4 Regiments of Horſe, and 1000 Foot of my Lord of *Newcaſtle*'s Men, and intended to join with my Lord of *Loughborough*; who with ſome Forces was advancing that way, ſent out a Party under Sir *John Hartopp* to ſecure the Paſs and Bridge over the *Sore*, a Mile from *Loughborough*, and prevent the aforeſaid Conjunction; But theſe not performing that Service ſo well as was expected, and the Lord *Gray*'s Horſe leaving *Hartopp*, and going to *Leiceſter*, Major *Porter*, and my Lord *Loughborough*, on *Teuſday March* the 19th joined the Prince, making a Body of about 7000, and were all Quarter'd that Night in a Cloſe by *Bingham*, about 8 Miles from *Newark*. Upon notice of whoſe Advance, Sir *John Meldrum* (for the Lord *Willoughby* at this time was rid to *Gainsborough*) was moved by Sir *Michael Hubbard* and others in the Council of War to Retreat to *Lincoln*; but he reſolved to draw all his Foot into the Counteſs of *Exeter's* Houſe, and ſend his Horſe over *Muſcome* Bridge to bring in Proviſions. The Prince advanced his Van of Horſe *upon the Spurr*, and left the reſt to keep along with the Foot, the Cannon, and the Ordnance: *Meldrum*'s Horſe drew up on *Beacon*-Hill, but upon the Prince's approach, having no Orders to Fight beyond the reach of their Ordnance, quitted that Hill, and drew up with the Foot near the Spittle. The Prince thus ordered his Forces, himſelf and his own Troop of Lifeguard undertook to attack that Body on the Left Hand, appointing my Lord *Loughborough*'s Troop to ſecond him, and Colonel *Charles Gerard*'s Troop for a Reſerve. The Prince's Regiment was caſt into 5 Diviſions, 2 Troops in each; In the firſt and right Hand of all were Captain *Gardiner*, and Captain *Richardſon*, next Captain *Cobb*, and Captain *Martin*; then my Lord *Grandiſon*, and Sir *Tho. Dalliſon*; after them the Troops of Sir *Lewis Dives*, and my Lord *Dillon*, and Major *Legg*'s, and Lieutenant Colonel *O Neale*'s Troops next unto the Lifeguard. This Regiment was ſeconded by Major-General *Porter*'s Regiment. The Prince's Field Word was *King and Queen*; *Meldrum*'s, *Religion*. The Fight began about nine a Clock. On *Meldrum*'s part Colonel *Roceſter* led on the left Diviſion of Horſe, wherein were the two Captain *Lilburns*, Captain *Bethel*, Captain *Hunt*, *&c.* who fiercely charged Prince *Rupert*'s Right Wing, and routed and drove them up to their Reſerve, the Prince himſelf being ſhrewdly beſet, and a Trooper was juſt ready to lay hold on his Collar, when his Hand was almoſt chop'd off by Sir *William Neale*. But *Meldrum*'s Right Wing of Horſe ran away, and would have preſſed in upon their Foot had they not ſtood upon their Guard; yet Colonel *Roceſter* made an orderly Retreat; and according to Sir *John Meldrum*'s Order, drew all the Horſe, except 500, over a Bridge of Boats into the Iſland. By which time Prince *Rupert*'s Foot, under the Command of Colonel *Tellier*, being come up, advanced with ſome Horſe to recover that Boat-Bridge from the Enemy; but that being too well guarded by Colonel *King*'s, and two or three *Yorkſhire* Companies, they were forced to Retreat with loſs.

The Fight between Prince *Rupert* and Sir *John Meldrum* at *Newark*, *March* 21. 164$\frac{3}{4}$.

Before this, Sir *Richard Byron*, the Governor of *Newark*, had ſent a Party both of Horſe and Foot out of the Town, who much incommoded *Meldrum*'s Forces; and beſides, that Night three Companies of Colonel *King*'s, and three *Nottingham* Companies (unknown to Sir *John*) quitted the Fort where they lay, paſſed over *Muſcome*-Bridge, brake up the Bridge, and ſo ſecured themſelves; The ſame Night it was reſolved by *Meldrum* at a Council of War, to Retreat over *Muſcome*-Bridge, not

An. 1643.

imagining that their Guard had ſerved them that Trick; which being at laſt perceived, *Meldrum* finding himſelf beſet, ſent a Trumpet to the Prince for a *Parley*. His Highneſs appointed Sir *Richard Crane*, Captain of his Lifeguards, with Sir *William Neale*, Scout-Maſter General; and Sir *John Meldrum* ſent two of his Colonels; *viz.* Sir *Michael Hubbard*, and Sir *John Palgrave*, who being met, agreed as followeth.

Newark relieved; And Articles ſubmitted unto by Sir *John Meldrum* and his Forces, *March* 22. 1644.

Articles agreed upon the 22d of *March* by Sir *Richard Crane*, and Sir *William Neale* Knights, on the part of His Highneſs Prince *Rupert*; And Sir *Michael Hulbard*, and Sir *John Palgrave*, on the part of Sir *John Meldrum*, as followeth.

I. *THat all Match, Bullet, Powder, Cannon, and all other Fire Arms belonging to the Artillery be delivered.*

II. *That all Soldiers march away with their Swords by their Sides, and Colours and Drums.*

III. *That all Officers march out without Moleſtation, with their Arms, and Horſes for themſelves and Servants, and Bag and Baggage, Money, and whatſoever elſe doth truly belong to themſelves.*

IV. *That all Troopers and Dragooners march away with their Swords, Horſe, and Colours.*

V. *That His Highneſs ſend a Convoy to protect them from any Injury Two Miles from His utmoſt Quarters towards* Lincoln.

Rich. Crane. Mi. Hubbard.
Will. Neale. Jo. Palgrave.

Accordingly *Meldrum* and his Forces marched out, but complained, that contrary to the Articles they were ſpoiled of their Colours, Swords, Pikes, *&c.* which the Kings Party excuſed, by alledging, that they attempted to carry away more than was Conditioned; and that ſome of theirs had been ſo uſed before at *Lincoln*, and eſpecially that the ſame was againſt the Prince's Mind, who ſlaſhed ſeveral of his Soldiers for the ſame, and ſent back ſome Colours they had taken.

The Parliament loſt here about 3000 Muskets, a great quantity of Piſtols, Eleven Braſs Pieces, and Two Mortar Pieces. His Highneſs appointed a Thankſgiving to be kept for this ſucceſs on the *Sunday* following.

CHAP.

19 *Caroli.*

CHAP. XII.

Containing the Civil Tranſactions, as Proclamations, Declarations, &c. of the Year 1643.

Cedant Arma Togæ: *Having diſpatch'd the Work of the* Sword, *let us next Survey the Reſults of the* Gown, *during this diſtracted Year,* 1643. *An Account whereof in order of Time, be pleaſed to take as followeth.*

AN Order by the Commons, for eaſing of Proteſtant Strangers in Aſſeſſments. 1643. *March* 25.

An Ordinance of the Lords and Commons, for Repayment of 20000 *l.* to the Commiſſioners of the Cuſtoms, formerly Lent by them for the Navy. *March* 27.

An Order of the Commons to forbid Tenants to Pay Rents to Delinquents. *March* 27.

An Ordinance for Raiſing of 450 *l.* Weekly in the County of *Hertford,* over and above their former Aſſeſſment, for the Fortification and Defence of the County. *March* 31.

An Ordinance of the Lords and Commons in Parliament, for Sequeſtring notorious Delinquents Eſtates.

Ordinance for Sequeſtration, *April* 1. 1643.

THE Lords and Commons Aſſembled in Parliament, taking into their ſerious Conſiderations the heavy Preſſures and Calamities which now lye upon this Kingdom, by this Unnatural War raiſed againſt the Parliament; and that notwithſtanding all their faithful and unceſſant Endeavours for the preſerving of His Majeſty, and the whole Kingdom, from the miſchievous and reſtleſs deſigns of Papiſts, and ill affected Perſons (whoſe aim is the extirpation of our Religion, Laws and Liberties,) yet their Counſels and Practices are ſtill ſo prevalent with his Majeſty, and the Hearts of many People, ſo miſled and beguiled by their falſe Pretences and Inſinuations, that nothing can be expected but Ruine and Deſolation, unleſs GOD *in Mercy prevent it, and encline His Majeſties Heart to the faithful Advice of His Great Council of Parliament, which has ever been, and is (under* GOD*) the chief ſupport of His Royal Dignity, and the ſecurity of all we have or can enjoy. And for that it is moſt agreeable to Common Juſtice, that the Eſtates of ſuch Notorious Delinquents, as have been the Cauſers or Inſtruments of the publick Calamities which have been hitherto imployed, to the fomenting and nouriſhing of theſe miſerable Diſtractions, ſhould be converted and applied towards the ſupportation of the great Charges of the Common-wealth, and for the eaſing of the good Subjects therein, who have hitherto born the greateſt Shares in theſe Burthens.*

Be it therefore Enacted, *by the ſaid Lords and Commons, That the Eſtates, as well real as perſonal of the ſeveral Biſhops hereafter mentioned; and of all ſuch Biſhops, Deans, Deans and Chapters, Prebends, Arch-Deacons, and of all other Perſon or Perſons Eccleſiaſtical or Temporal, as have raiſed, or ſhall raiſe Arms againſt the* Parliament, *or have been, are or ſhall be in actual War againſt the ſame, or have voluntarily*

An. 1643. *tarily contributed, or ſhall voluntarily contribute, not being under the power of any part of the King's Army, at the time of ſuch Contributing, any Money, Horſe, Plate, Arms, Munition, or other Aid or Aſſiſtance, for, or towards the maintenance of any Forces raiſed againſt the Parliament, or for the oppoſing of any Force or Power raiſed by Authority of Both Houſes of Parliament; or for the Robbing, Spoiling, Plundering, or Deſtroying of any of the King's Subjects, who have willingly contributed or yielded Obedience to the Commands of Both Houſes of Parliament; And of all ſuch as have joyned, or ſhall joyn, in any Oath, or Act of Aſſociation againſt the Parliament, or have Impoſed, or ſhall Impoſe any Tax or Aſſeſſment upon His Majeſties Subjects, for or towards the Maintenance of any Forces againſt the Parliament, or have, or ſhall uſe any Force or Power to Levy the ſame, ſhall be forthwith ſeized and ſequeſtred into the hands of the Sequeſtrators and Committees hereafter in this Ordinance named: And of ſuch other Perſons as ſhall at any other time hereafter be appointed and nominated by Both Houſes of Parliament, for any County, City, or Place within the Realm of* England *or Dominion of* Wales: *Which ſaid Sequeſtrators and Committees, or any Two or more of them, in each ſeveral County, City, or Place reſpectively, are hereby Authorized and Required by themſelves, their Agents and Deputies, to take and ſeize into their hands and Cuſtodies, as well all the Money, Goods, Chattels, Debts, and Perſonal Eſtate; as alſo all and every the Mannors, Lands, Tenements and Hereditaments, Rents, Arrearages of Rents, Revenues and Profits of all and every the ſaid Delinquents, or Perſons before ſpecified; or which they, or any of them, or any other in truſt for them or any of them, or to their, or any of their Uſe or Uſes, have, hath, or ſhall have: And alſo Two parts of all the Money, Goods, Chattels, Debts, and Perſonal Eſtate: And Two parts of all and every the Mannors, Lands, Tenements and Hereditaments, Rents, Arrearages of Rents, Revenues, and Profits of all and every Papiſt: or which any other Perſon has in Truſt for any Papiſt, or to the Uſe or Uſes of any Papiſts; and to Let, Set, and Demiſe the ſame, or any part thereof, as the reſpective Landlord or Owner thereof, may, or might have done from Year to Year; and ſhall have Power to call before them, or any Two of them, all Stewards, Bayliffs, Rent-Gatherers, Auditors, or other Officers or Servants, as well of the ſaid Arch-Biſhops, Biſhops, Deans, Deans and Chapters, Prebends, Arch-Deacons, as of all and every other of the ſaid Delinquents or Perſons before Specified; and to ſend for, or take any Books of Accompts, Rentals, Copies of Court Roll, or other Evidences, Writings, or Memorials touching the Premiſes, or any of them; and thereby, and by all other ways and means, which to the ſaid Sequeſtrators, or any Two or more of them, ſhall ſeem meet and neceſſary, to inform themſelves, as well of the ſaid ſeveral Delinquents, and every of them, as of their ſeveral Eſtates and Poſſeſſions, Rents, Arrearages of Rents, Revenues and Profits, Goods and Chattels, Eſtates, Real and Perſonal, and the true Value thereof, and of all things concerning the ſame, or any part thereof, and to appoint any Officer or Officers, or other Perſon or Perſons under them, for the better expediting of this Service: Which ſaid Perſons are hereby Authorized and Enjoyned to Perform and Execute all and every the Commands of the ſaid Sequeſtrators or Committees, or any two or more of them reſpectively, in and concerning the Premiſes; and ſhall have ſuch Allowances for their Paim and Charges in that behalf, as the ſaid Sequeſtrators or Committees, or any Two or more of them ſhall think fit; and the ſaid Sequeſtrators or Committees, or any Two or more of them reſpectively, their Agents and Deputies, within their ſeveral Limits, ſhall have Power, and are hereby Authorized and Required to enter into all and every ſuch Mannors, Meſſuages, Lands, Tenements, and Hereditaments of all and every the ſaid Delinquents or Perſons before ſpecified, and to receive ſuch Rents, Arrearages of Rents, Heriots, Iſſues, Profits, Sums of Money, Debts, and other Duties as aforeſaid to them, or any of them, due or payable by their, or any of their ſeveral and reſpective Tenants, or other Perſon or Perſons: Which ſaid Tenants and other Perſons are hereby required to pay the ſame to the ſaid Sequeſtrators or Committees, or any Two or more of them accordingly, and not to, or the uſe of the ſaid Delinquents, or any of them; yet ſo, nevertheleſs, that in reſpect of the hardneſs of the Times, and the great Charges which otherwiſe lye upon the ſaid Tenants and others, by occaſion of this preſent War, every ſuch Tenant which ſhall pay to the ſaid Sequeſtrators or Committees, or any Two of them as aforeſaid, ſhall, upon their Obedience and Conformity to this Ordinance, be conſidered out of the ſaid Rents, Revenues, and Profits, and ſhall be diſcharged of his whole Rent againſt his Landlord, or any other to whom the ſame is due, being ſuch Delinquents as aforeſaid; and as well they the ſaid Tenants, as every other Perſon or Perſons, which ſhall pay any Rent, Sum of Money, or other thing, according to this Ordinance, ſhall be Protected and ſaved*

19 Caroli.

ſaved harmleſs from any Forfeiture, Penalty, or Damage which he or they may incur by not Payment of his or their ſaid Rent, Sum of Money, or other thing, according to his or their Leaſe, Copy, or other Agreement by the Power and Authority of Both Houſes of Parliament.

And if any ſuch Tenant or Tenants ſhall refuſe to pay his or their Rent or Rents to the ſaid Sequeſtrators or Committees, their Agents or Deputies, according to this Ordinance, at ſuch times and places as the ſame ſhall become due and payable, the ſaid Sequeſtrators, or any Two or more of them by themſelves, their Agents or Deputies ſhall have Power to diſtrain for the ſame, and to take all other Advantages for Non-payment thereof, as the Landlord might have done.

And the ſaid Sequeſtrators, or any Two or more of them, ſhall have Power to Sue for, and recover any Debt, Sum of Money, or other Duty owing to the ſaid Delinquents, or Perſons before Specified, or any of them: As alſo to give Diſcharges and Acquittances for any Rent, Sum of Money, Debts, Duty, or other thing which they ſhall receive out of the Eſtates of the ſaid Delinquents, or any of them; and ſhall be accountable from time to time for the ſame, and for all ſuch other things as ſhall be had or taken by them, their Agents or Deputies; and for all their Receipts and Payments, and other Acts for, or in reſpect of the Premiſes to Both Houſes of Parliament, or to ſuch as they ſhall appoint; and ſhall pay in all ſuch Sums of Money as they, or any of them ſhall receive out of the ſaid Eſtates, unto the Treaſurers at Guild-Hall, London, *and ſhall keep Books of Accompts; and ſhall be, from time to time ſubject to the further Orders and Directions of Both Houſes of Parliament, for allowance to the ſaid Delinquents, or otherwiſe as cauſe ſhall require; of all their Receipts and Payments: And the ſaid Sequeſtrators or Committees, or any Two or more of them, their Agents and Deputies, ſhall have Power to call to their Aid and Aſſiſtance the Trained-Bands, Voluntiers, or other Forces of, or within their ſeveral Counties, Cities, or Places reſpectively, or any other Perſon or Perſons dwelling in or near the place, to compel Obedience to this Ordinance, where any reſiſtance ſhall be made, or as often as need ſhall require: And ſhall have Power to puniſh ſuch Perſon or Perſons as they ſhall find refractory, negligent, or faulty in the ſaid Service, by Fine and Impriſonment; ſuch Fine not exceeding the Sum of Twenty Pounds; or to Certifie their Names to the Committee of Lords and Commons, appointed for this Service, who ſhall have Power to ſend for them, and to commit them to ſuch Priſons and Places, and for ſo long time as they ſhall think fit. And the ſaid Trained-Bands, Voluntiers, and other Forces, their Commanders and Officers, and alſo the ſeveral Conſtables, Headboroughs, and Officers and other Perſons within their Limits, are hereby required and conjoyned to be Aiding and Aſſiſting to the ſaid Sequeſtrators, or any Two or more of them, as oft as they ſhall be thereunto required.*

And it is further Declared and Ordained by the Lords and Commons, That all, and every of the ſaid Sums, Rents, Revenues, and Profits, Eſtate Real and Perſonal, of all and every the ſaid Delinquents or Perſons before ſpecified, ſhall be employed to the Uſe, and for the Maintaining of the Army, and Forces raiſed by the Parliament, and ſuch other Uſes as ſhall be directed by Both Houſes of Parliament, for the benefit of the Common-wealth.

Laſtly, *It is Ordained, That all and every the ſaid Sequeſtrators and Committees, ſhall have Allowances for the neceſſary Charges and Pains in and about the Premiſes, as they ſhall be allowed by Both Houſes of Parliament: And that as well they, as all others who ſhall be employed in the ſaid Service, or ſhall do any thing in Execution or Performance of this Ordinance, ſhall be therein Protected and ſaved Harmleſs, by the Power and Authority of Both the ſaid Houſes: And if any Perſon or Perſons ſhall find him or themſelves aggrieved with any Act done by the ſaid Sequeſtrators, their Agents or Deputies, or any of them concerning the Premiſes; and ſhall not therein be relieved by the ſaid Sequeſtrators, upon Complaint made to them, or any Two or more of them; then upon Information thereof given to Both Houſes of Parliament, or to the ſaid Committees of Lords and Commons before-mentioned, ſuch further Order ſhall be taken therein as ſhall be agreeable to Juſtice.* Provided, *That where any former Ordinance hath been made by Both Houſes of Parliament, for the ſeizing or Sequeſtring of the Eſtates of any of the Delinquents before ſpecified, within any County, City, or Place, and accordingly Executed there, this preſent Ordinance ſhall not be put in Execution till further Order be taken by Both Houſes of Parliament.* Provided *alſo, That all and every the ſaid Eſtates of the ſaid Delinquents ſhall be chargeable and lyable for their proportionable part of ſuch other publick Charges or Duties to be ſet or allowed of Both Houſes of Parliament, as they ought to Pay, if this Ordinance had not been made; and to all ſuch other*

An. 1643.

other Charges, Duties, Payments, or other Rights, which are or ſhall be Due or Payable, or of right belonging to any other Perſon or Perſons out of the Premiſes, other than to ſuch Delinquents as aforeſaid; the ſame to be paid and diſburſed by theſe Sequeſtrators, or any Two of them reſpectively.

Provided alſo, *That where no Committees are named by this Ordinance in any City or Town which is a County of it ſelf, there the Committees for the County at large next adjoyning, may execute this Ordinance within every ſuch City or Town, till other Committees ſhall be named and appointed for the ſame by Both Houſes of Parliament. And that, where no Committees are herein named for any County, City, or Place, ſuch other Perſons as ſhall hereafter be nominated by Both Houſes, ſhall have the like Power to execute this Ordinance, within every ſuch County, City, or Place, as the Committees by this preſent Ordinance named have.*

Provided alſo, *And be it further Ordained, That all, and ſingular ſuch Revenues, Rents, Iſſues, Fees, Profits, Sums of Money, and Allowances whatſoever, as have heretofore been, and now ought to be paid, diſpoſed unto, or for the Maintenance of any College or Hoſpital, whoſe Revenues, or any part thereof, have not been employed for maintenance of the War againſt the* Parliament, Grammar-School, *or* Scholars; *or for or towards the Reparation of any* Church, Chappel, High-way, Cawſe-way, Bridge, School-Houſe, *or other Charitable uſe, payable by any the Corporations, or Perſons, whoſe Eſtates are to be Sequeſtred by this Ordinance, which are chargeable upon, or ought to iſſue out of, or to be paid for, or in reſpect of their Eſtates, Lands, or Poſſeſſions, or any of them, other than ſuch Delinquents as aforeſaid, ſhall be, and continue to be paid, diſpoſed, and allowed by the ſaid Sequeſtrators or Two or more of them, as they were and have been hitherto, any thing in this Ordinance to the contrary in any wiſe notwithſtanding.*

Die Mercurii 5. Aprilis. 1643.

Inſtructions by the Lords and Commons in Parliament, to *Robert* Earl of *Warwick*, by them appointed to be Admiral and Commander in Chief of the Ships which are now, or hereafter ſhall be ſet forth to Sea, for the better enabling him to the performance of that Service.

Orders and Inſtructions to the Lord Admiral, *April* 5. 1643.

WHereas, *by our Ordinance the Eighth of* February, 1642. *You are enabled to exerciſe Martial Power by Sea, as the Lord General doth by Land; the vigilant and due execution whereof will be the only effectual means to prevent the Mutinies and Diſorders which the Mariners and Seamen under your Command may be ſubject unto, as late Experience has manifeſted: You are therefore hereby required and authorized with all diligence and Care to put the ſame Power in Execution, from time to time, as you ſhall find cauſe, according to the Cuſtom of War in that behalf.*

And whereas in this time of imminent danger, Supplies may be made from Forreign Parts, of Ships, Soldiers, Arms, Ammunition, *&c. to be brought into this Kingdom, and imployed againſt the Parliament, or to be brought into the Kingdom of* Ireland, *for the Service of the Rebels there, againſt His Majeſties good Subjects in that Kingdom.*

You are therefore hereby required, and fully Authorized, in caſe you meet with any Foreign Forces, Ships, or Veſſels, as Spaniards, French, Danes, Dunkirkers, *or any other whatſoever, making towards the Coaſts of* England, Ireland, *or any other of His Majeſties Dominions, that you ſhall, according to the uſual manner, Command them to ſtrike their Flags or Top-Sails, and ſhall cauſe them to be Examined and Searched, whether they have any* Soldiers, Arms, Ammunition, *or other Proviſions for War in them, that are likely to be employed, to the prejudice of the Parliament and this Kingdom, or His Majeſties good Subjects in the Kingdom of* Ireland, *and, in caſe of refuſal on their part, to ſuch your Command, that you then compel them thereunto by force of Arms and Surpriſe, and take all ſuch Ships and Veſſels as ſhall ſo withſtand and refuſe you, or otherwiſe to Burn, Sink, and deſtroy them.*

And you are hereby Authorized to grant the like Power unto all and every the Captains, Commanders, and Maſters of Ships and Veſſels under your Command, as you in your Diſcretion ſhall ſee cauſe.

And

And lastly, you have hereby full Power and Authority in all Things, as shall tend to the good of this Service, and the better discharge of the great Trust committed unto you. And you, and all Commanders, Officers, Soldiers, and Mariners, Obeying our Command in this Service, for the Safety of the Parliament, this Kingdom, and the Kingdom of Ireland, *and all other his Majesties Dominions, shall for your and their Indemnity be protected by the Authority of the said two Houses of Parliament.* 19 Caroli.

By the King.

A Proclamation prohibiting the Assessing, Collecting, or Paying any Weekly Taxes, and Seizing or Sequestring the Rents or Estates of Our good Subjects, by colour of any Orders, or pretended Ordinances of one or both Houses of Parliament.

King's Proclamation against paying Taxes, &c. to the Parliament, and acting in the Sequestrations, *Apr.* 7. 1643.

WHereas divers Orders or pretended Ordinances have been contrived in the Name of one or both Houses of Parliament; for Taxing our Subjects, and Levying Moneys to support the Rebellion; all which, and all other ways of Imposing upon our People to what Intent or Purpose soever, without our Royal Assent, are clearly unlawful and unwarrantable, and so by several Proclamations or otherwise have been declared by us; and we do hereby Declare the same unto all our good Subjects: And in particular, by our Proclamation of the Eighth of March *last, we did forbid (amongst other things) the Assessing, Collecting, and Paying the* Weekly Tax *imposed upon our good Subjects and their Estates by one of the said pretended Orders or Ordinances, which in Three Months exceeded the Sum of the great Subsidy of* 400000 l. *And nevertheless we are given to understand the same is forceably Levyed, and by colour thereof divers of our good Subjects Imprisoned and Distrained, and great Violence, Spoil, Rapine, and Plundering, committed upon them and their Estates, in divers Counties and Places of this our Kingdom. And that by another pretended Ordinance, the whole Estates, real and Personal, of divers of our Subjects, most of them not named, but described and distinguished by Marks of Loyalty, are Ordained to be seized and Sequestred for maintaining a War against us, and their Tenants discharged of their Rents, and protected against Forfeitures, Penalties, and Damage, with other Clauses, importing Power to dissolve Contracts, and make and marr Laws at Pleasure, which we are informed is also endeavoured to be executed: All which (whatsoever is pretended) do tend apparently to the Destruction of us and our Posterity, (whose Lives have been attempted to be taken away) the Subversion of the Established Protestant Religion, the Laws of the Land, and the Liberties and Properties of our Subjects, and the utter Ruine of our whole Kingdoms. We do therefore strictly charge and command all our Loving Subjects whatsoever, not to submit to the said pretended* Orders and Ordinances, *or any of them, or to the* Weekly Taxes *imposed as aforesaid, or to any such Seizures or Sequestrations as aforesaid, nor presume to be assistant thereunto by Assessing, Taxing, Levying by Distress, or otherwise, or Collecting any such* Weekly Taxes, *or making any such Seizures or Sequestrations; or by Information, or producing Books of Accompts or Rentals, or by any other ways or means giving any Intelligence of any such Estates, real or personal, or Values thereof; but to their utmost Power to resist all such Acts of Injustice and Violence. And we do hereby command the Tenants and Debtors of all our Subjects, whose Estates are intended to be seized and sequestred, to pay their Rents and Debts to their Landlords and Creditors, notwithstanding such Seizure or Sequestration. And we do further Prohibit all Persons, as well Aliens as Denizens, That they presume not to intermeddle in the buying, receiving, disposing the Goods or Chattels of any of our Subjects that shall be seized, sequestred, distrained, or taken from them, by pretence of the said* Orders or Ordinances *for such* Weekly Taxes, *or such Seizures or Sequestrations as aforesaid, or otherwise plundered: All which do tend to the Aid and Assistance of a War against us, which by the known Laws of the Land are Acts of High-Treason. And we do declare and publish, That to adhere to our Enemies, giving them Aid and* Comfort, *is High-Treason nominally declared by the Statute of the 25th of* Edward III. *and that We intend to give Order for seizing the Estates of such as shall rebelliously disobey us herein, to the intent they may remain in safe Custody until the Offenders can be brought to Legal Tryal, which shall as speedily proceed as they shall be Apprehended and delivered into the hands of Justice. And we do hereby Will and Command*

An. 1643.

mand the Tenants and Debtors of thoſe who ſhall Execute or be aſſiſting unto, or ſhall voluntarily ſubmit unto the ſaid Orders or Ordinances for the ſaid Weekly Taxes, *or ſuch Seizures or Sequeſtrations as aforeſaid, That they not only forbear to pay their Rents or Debts, but detain the ſame towards the Maintenance of the Peace of the Counties, and Reparation of ſuch as have ſuffered by the Violence of the Army in Rebellion againſt us: Such Courſe being already taken againſt ſuch as have according to their Allegiance aſſiſted us. And as we have declared, That whoſoever ſhould loſe his Life in this our Defence, the Wardſhip of his Heir ſhould be granted by us without Rent or Fine; ſo on the other ſide we do publiſh and declare, That whoſoever ſhall Execute or be aſſiſting to, or voluntarily ſhall ſubmit unto the ſaid Orders or Ordinances, ſhall receive no Benefit by our Inſtructions of Grace; But we will be fully anſwered to the utmoſt what ſhall be due to us by Law, and diſpoſe of ſuch Wardſhips as ſhall ſeem beſt to us. Willing and commanding all Sheriffs, Mayors, Bailiffs, Juſtices of the Peace, Conſtables, and other our Officers and loving Subjects whatſoever, upon their Allegiance, and the ſevereſt Pains that by the Law may be inflicted upon them, not only to obey and obſerve carefully theſe our Commands, but to be aiding and aſſiſting to the utmoſt of their Power to all ſuch Perſons as ſhall require their Aſſiſtance or Protection in this behalf; and to reſiſt and repel by Force of Arms all ſuch as ſhall oppoſe this our Legal Command. And our Will and Command is, That this our Proclamation be read in all Churches and Chapels in this our Kingdom.*

Given at our Court at *Oxford*, the Seventh Day of *April*, in the Nineteenth Year of our Reign.

God Save the King.

Die Lunæ, 10 *Aprilis*, 1643.

An Order of the Commons aſſembled in Parliament, to prevent Spies and Intelligencers.

Ordinance againſt Spies, *Ap.* 10. 1643.

IT is this day Ordered by the Commons aſſembled in Parliament, That whatſoever Perſons ſhall come from Oxford, *or any part of the King's Army, to* London, *or the Parts adjacent, or to any part of the Army under the Command of the Earl of* Eſſex, *or to any Fort or Court of Guard, kept by the Authority of both Houſes of Parliament, without the Warrant of both Houſes of Parliament, or of the Lord General the Earl of* Eſſex; *ſhall be apprehended as Spies and Intelligencers, and be proceeded againſt according to the Rules and Grounds of War. And it is further Ordered, That the like Care be taken by Water for the Apprehending of the Perſons aforeſaid. And all Captains of Guards and Officers, and all other Perſons, are required to be very diligent in Apprehending the ſaid Perſons. And it is further Ordered, That this Order be Printed and Publiſhed, and ſent to the ſeveral Courts of Guard, both by Water and Land.*

Hen. Elſynge, Cler. Parl. D. Com.

April 10.

AN Ordinance for Raiſing Forces in, and for the Defence of the County of *Warwick*, the City and County of *Coventry*, the County of *Stafford*, the City and County of *Litchfield*, and the County of *Salop*.

April 14.

ORdered by the Lords and Commons aſſembled in Parliament, That whatſoever Moneys are in Arrear upon the Act of Loan and Contribution for the Relief of *Ireland*, paſſed this Parliament, as the ſame ſhall be brought to the Treaſurer's Hands, be diſpoſed by the Committee for the Affairs of *Ireland*, and by their Direction.

By

19 *Caroli.*

By the King.

His Majesty's Gracious Offer of Pardon to the Rebels now in Arms against him, under the Command of the Earl of *Essex.*

King's Offer of Pardon, *Ap.* 18.

WHereas an actual and open Rebellion is raised, and several Armies marching against us, under the Command and Conduct of Robert *Earl of* Essex, *and other Persons under his Commissions and Authority, who falsly pretend, That what they do is by Vertue of our Authority, and for our Service; and so seduce many of our weak Subjects from their Duty and Allegiance into this horrid and odious Rebellion against us. We do therefore once more declare the said* Robert *Earl of* Essex, *and all such who by any Commission under him have levyed or do Command any Soldiers, to be Guilty of High-Treason; and that this Rebellion is raised to take away our Life from us, to destroy our Posterity, to change the blessed Protestant Religion, established by the Laws of the Land, to suppress the Law of the Kingdom, to take away the Liberty of the Subject, and to subject both to an unlimited Arbitrary Power. And we do therefore will and command all our loving Subjects, upon their Allegiance, and their* Oaths of Allegiance and Supremacy, *That they Apprehend the said Earl of* Essex, *and all such who, by Vertue of any Commission under him, have levyed or do now command any Soldiers in any places of this Kingdom, as Guilty of High-Treason.*

And whereas we understand, That at this time the said Robert *Earl of* Essex; *and some other Commanders, who have equal or independent Authority from him, do Traterously lay Siege to, and intend to assault our Town of* Reading; *We, considering That the most part of those Commanders and Soldiers are seduced by the specious Pretexts aboveseid, have out of our Princely Grace and Clemency thought fit, and do hereby declare, That we are pleased to grant our Free and General Pardon, as well to all Captains and inferior Officers, (not formerly excepted in any of our Declarations or Proclamations) as to all Common Soldiers now before our Town of* Reading, *or elsewhere, as to Persons seduced by the Cunning and Falshood of the Authors of the present Rebellion: If such Captains, inferior Officers, and Soldiers shall Disband within six days after the Publishing of this our Proclamation; so as they commit no Hostile Act in the mean while. And we do farther declare, That such Officers as aforesaid as shall return to their due Obedience to us, and render themselves to the Lieutenant-General, or other Principal Officer of our Army, or to the Governour of that our Town of* Reading, *and be willing to serve us, shall be entertained in our Army; or if they be not willing to serve, shall have our Pardon and free Pass, provided they take an Oath never to take up Arms against us. And that such Common Soldiers as shall lay down their Arms according to this our Proclamation, shall receive our like Gracious Pardon, and be entertained in our Service, if they shall be willing, or otherwise, taking the aforesaid Oath, have Five Shillings in Money given them, and a Pass to carry them to their Dwellings. But in case this our Gracious Mercy to them produce not those good Effects we hope for, such Extremity of Punishment they are to expect, as the highness of so Treasonable an Act in its own nature deserves.*

Given at Our Court at *Oxford*, the 18th Day of *April* in the Nineteenth Year of our Reign.

God Save the King.

A Proclamation to prevent Plundering.

By *Robert* Earl of *Essex*, &c. Captain General of the Army Raised and Imployed for the Defence of the Protestant Religion, King, Parliament and Kingdom.

WHereas I am Informed, That several Insolencies and Outrages have been of late committed by some Troopers, and other Soldiers belonging to this Army, without the Approbation or Allowance of my Self, or the Officers of the Army, to the great prejudice of many the Inhabitants of this County of Berks, *and Counties adjacent; I do hereby publish and declare, That if any Officer or Soldier, Horse or Foot,*

An. 1643.

belonging to this Army, ſhall (after Proclamation hereof made by the Provoſt Marſhal General of the Army) upon any pretence whatſoever, ſeize, take, imbezel, or purloin any the Horſes, Mares, Oxen, Cows, Calves, Sheep, or any other the Goods of any the Inhabitants of this County, or other the adjacent Counties, either Papiſt or Malignant, or other ill-affected Perſon whatſoever, without ſpecial and particular Warrant from my Self; That every ſuch Perſon ſo Offending, ſhall undergo and ſuffer ſuch Puniſhment by Death or otherwiſe, as the Nature of the Offence ſhall Require: But in caſe any the ſaid Officers or Soldiers ſhall ſeize or take any the Horſes or Goods of any Perſon or Perſons whatſoever, coming or ſending ſupply of Neceſſaries for the Army, that ſuch Perſon or Perſons ſo Offending, ſhall ſuffer Death without Mercy. And if any Officer or Soldier of this Army ſhall by Virtue of any Warrant, ſeize, or take away the Horſes or Goods of any Perſon or Perſons whatſoever, and ſhall not within Two days next after the ſeizing of them, repair unto my Quarter, to certifie unto me in Writing whoſe Horſes and Goods have been ſo ſeized, and by whoſe Warrant, that they may be brought hither to be diſpoſed of by me, ſuch Perſon or Perſons ſo Offending, ſhall be deemed and accounted Guilty of the Breach of this Proclamation, and ſhall be proceeded againſt accordingly. And I do hereby further Declare, that if any the Horſes or Goods of any Perſon or Perſons Inhabiting within this County, or any other adjacent Counties have been unjuſtly ſeized, or taken from them or any of them, upon his, or their juſt Complaint made unto me, I ſhall give preſent Order for the Reſtitution of them according to Juſtice. And laſtly, I do will, and require all and every the High Conſtables of the ſeveral Diviſions within the Counties of Berks, Southampton, *and* Oxon, *that they do forthwith, upon, and after Proclamation hereof made, make out ſeveral Warrants to the Petty Conſtables, for the Aſſeſſing and Taxing of the ſeveral Pariſhes with ſuch Quantities of Proviſion of all ſorts as they are Stored with, and to make, and return a Certificate within three days of ſuch Aſſeſſments, what ſeveral Quantities are Aſſeſſed upon the ſaid Pariſhes, with the Names of ſuch Perſons as ſhall refuſe to provide and ſend Proviſions to the Army as aforeſaid, which Certificate is to be delivered into the Hands of two or more of the Commiſſioners appointed to receive the ſame, that ſuch further Order may be taken with the Perſons ſo refuſing as ſhall be thought fit. And I do hereby Declare, That I expect that the ſeveral Inhabitants of the ſaid ſeveral Counties ſhould readily contribute their Aſſiſtance herein, which I doubt not but they will do with the more Chearfulneſs, it being for the Supply of this Army, which is raiſed for the defence of the King, Parliament, and Kingdom, the Preſervation of Gods true Religion, and the juſt Rights and Liberties of the Subjects from Violence and Oppreſſion. And I do hereby will and require all the Officers and Soldiers of this Army, and all others whom it may concern, to be Obedient hereunto, as they and every of them will anſwer the contrary at their uttermoſt Peril. Given under my Hand and Seal at Arms, this Twenty fourth day of* April, 1643.

It is his Excellencies Pleaſure that this Proclamation be forthwith Printed.
Rob. Chambers, Secr.

ESSEX.

By the King.

A Proclamation of His Majeſty's Gracious Reſolution for the Relief of all ſuch Soldiers, as are or ſhall be Maimed in His Majeſty's Service.

His Majeſty's Proclamation for relieving wounded Soldiers, May 2.

WHereas very many of our poor and loving Subjects, who out of their Loyalty and Affection have ſerved us in our preſent Expedition againſt the Rebels, are and have been ſore wounded and maimed in Fight, ſo that they are not for the preſent, and many of them not like to be, able to relieve themſelves by their Work, or longer to continue the Duty of Soldiers in our Army; and yet we hold our ſelf engaged in Honour, Juſtice and Charity, to provide for their reaſonable Subſiſtence: We do hereby declare, That our Princely Reſolution is, That every Officer and Soldier of our Army, who is, or ſhall be in this our Service ſo wounded or maimed, ſhall receive ſome Reward and Livelihood by Perſion or otherwiſe, in ſuch manner as may make the Remainder of his Life leſs grievous to him. And that ſuch of our Common Soldiers and inferior Officers, ſhall be received and admitted into ſuch of our Hoſpitals or Alms-houſes

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as we have the disposing of, as fast as any Places shall become void in the said Hospitals or Alms-houses. And to that purpose our Pleasure is, That our Secretaries of Estate and Masters of Requests prefer no Bills to us, to be Signed for any Place in any of our said Hospitals or Alms-houses, but on the behalf of some Soldier who hath been wounded or maimed in our Service against the Rebels, until such time as all such Soldiers are provided for; and that all Reversions granted by us of any such Places be suspended, and none be admitted, by vertue of any Grant in Reversion, till such time as these poor People shall be provided for: For the better expediting whereof, we do hereby require all the Colonels of our Army to present a List, to one of our Secretaries, of all the Soldiers Names within their several Regiments, who have been so wounded or maimed in this our Service, as that they are unserviceable, with the Countries from whence they came; that Provision may be made for them accordingly. And we do hereby further declare our Will and Pleasure to be, That all Justices of Peace, Mayors, Bailiffs, Treasurers, Constables, Church-Wardens, and others whom it shall concern, shall with all Diligence put in Execution the Statute made in the 43 Year of the late Queen Elizabeth *touching the Relief of maimed Soldiers; and to make Weekly Taxations, and Collect and Levy the Sums so Taxed towards the Relief of sick, hurt, and maimed Soldiers, who have lost their Limbs, or disabled their Bodies in our Service; and to Grant and Assign Annuities, Pensions, and other Relief, unto them, according to the Tenour of the said Act. Which, the number of maimed and hurt Soldiers being the greater, in respect of our present just defensive Wars, We require them, upon the Penalties limited by the said Statute, and in pain of our high Displeasure, to do and execute in such manner as the said Soldiers may reap the Fruit of their good Deservings, and others be encouraged to the like Endeavours. And we straitly forbid and inhibit all Justices of Peace, Mayors, and other Officers, to Grant or assign any such Annuities, Pensions, or other Relief, by Vertue of the said Statute, to any Persons who have taken up Rebellious Arms against us, and been hurt or maimed in that Service. And of this we shall require an especial Account, as of a Business we are much concerned in our Honour to have a singular Care of.*

Given at our Court at *Oxford*, this Second day of *May*, in the Nineteenth Year of our Reign.

An Order of Parliament for the Burning of the Book for tolerating Sports upon the Lords-Day.

Die Veneris May 5. 1643.

Ordinance for Burning the Book of Sports by the Hangman, *May* 5. 1643.

IT is this day Ordered *by the Lords and Commons in Parliament, That the Book, concerning the enjoyning and Tolerating of Sports upon the Lords-Day, be forthwith Burned by the hand of the Common Hang-man in Cheap-side, and other usual Places: And to this purpose, the Sheriffs of* London *and* Middlesex *respectively, are hereby required to be assistant to the effectual Execution of this Order, and see the said Books burnt accordingly: And all Persons who have any of the said Books in their hands, are hereby required forthwith to deliver them to one of the Sheriffs of* London, *to be Burnt according to this Order.*

The Sheriffs of London *and* Middlesex, *have assigned,* Wednesday *next, the* 10th *of this Instant* May, *at* 12 *of the Clock, for the putting in Execution of the foresaid* Ordinance; *and therefore do require all Persons that have any of the Books therein mentioned, to bring them in by that time, that they may be Burned accordingly.*

An. 1643.

His Majeſty's Gracious Meſſage, of the 5th of this Inſtant *May*, to Both Houſes of Parliament; occaſioned by a Bill delivered to His Majeſty from Both Houſes, by Sir *Robert King*, Knight, and *William Jephſon*, and *Arthur Hill*, Eſquires, Entituled, *An Act for the ſpeedy Payment of Moneys, ſubſcribed towards the reducing of the Rebels in* Ireland, *which yet remains unpaid.*

The King's Meſſage and Reaſons for His not paſſing a Bill for informing the Payment of the Subſcription-Money for *Ireland*, *May* 5. 1643.

HIS Majeſty had, with great Deliberation, conſidered and weighed a Bill, lately preſented to him by Sir Robert King, *Knight, and* William Jephſon, *and* Arthur Hill, *Eſquires, from both Houſes of Parliament, Entituled,* An Act for the ſpeedy Payment of Moneys Subſcribed towards the reducing of the Rebels in *Ireland*, which yet remain unpaid. *And though in theſe miſerable times of diſtraction, where there are Armies (pretended to be Levied by Order of Both Houſes) almoſt in every County of the Kingdom, and all the good Old Laws (the Obſervation whereof would preſerve the publick Peace) violated and ſuppreſſed; when the Treaty hopefully begun towards an happy Peace, is broken, and the Committee recalled by Both Houſes, as if they intended no farther Overture for laying down Arms, but to decide all Differences by the Sword; The World will eaſily judge, whether His Majeſty might not well deny to conſent to any New Act of Parliament, the much Major part of Both Houſes being by force and Violence driven and kept from thoſe Counſels, and His Majeſty himſelf not ſuffered to be preſent. Yet ſuch is His Compaſſion of Soul towards His poor Proteſtant Subjects of that his Kingdom of* Ireland, *That he would willingly entertain any expedient, whereby it might be evident, the Condition of that Kingdom might be Relieved, and the diſtractions of This in no danger of being increaſed. And therefore His Majeſty deſires to be ſatisfied in theſe particulars:*

I. *How the great and vaſt Sums of Money already raiſed by the ſeveral Acts of Parliament, for the Relief of* Ireland, *and which, by the Acts, ought not to be employed to any other purpoſe, than reducing the Rebels, until they ſhall be declared to be Subdued, have been expended? His Majeſty having been informed, That no leſs than One Hundred Thouſand Pounds of that Money was by one Order of One or Both Houſes iſſued for a Maintenance of the Army, which hath given him Battel, under the Command of the Earl of* Eſſex.

II. *How His Majeſty ſhall be ſecured, That the Money, which by His Majeſty's conſent ſhall be raiſed for the ſupport of His Army in* Ireland, *ſhall not for the future be diverted from that uſe, and imployed againſt him in this Kingdom.*

III. *Whether it be juſt to compel His good Subjects, who have Subſcribed to pay thoſe Subſcriptions, when as at the time they did Subſcribe, they conceived themſelves abſolved from their Undertaking, if at any time they were content to forfeit the Sum mentioned in that Act. For His Majeſty doth not conceive, That by that Act they are liable to pay the whole Subſcriptions, but to ſubmit to the Penalty enjoyned. And then His Majeſty is not ſatisfied, That by a new Law it can be juſt to compel them to what at the firſt they undertook voluntarily, and it may be would not have undertaken but upon the liberty they conceived to be then left them.*

IV. *Whether the Power given by this new Bill to* Warner, Towſe, *and* Andrews, *(Perſons of whoſe Integrity and Affections to the Publick Peace, His Majeſty is in no degree ſatisfied) be not too great? Any Certificate of theirs being ground enough to extend the Eſtate of any Subject in* England, *whether he ever under-writ or no.*

V. *Whether all Lands, extended by Virtue of this Act, being to continue in extent till all Forfeitures be ſatisfied, it may not be very prejudicial to Creditors, to whom thoſe Lands are liable, and ſo the common Juſtice may be diſturbed?*

VI. *Whether by this Act the Extents being not to be avoided or delayed, for Omiſſion of any Lands, the ſame may not be prejudicial to all Purchaſers? and whether it be not againſt the known Courſe of the Law?*

His Majeſty deſires to receive ſatisfaction from Both Houſes of Parliament, in theſe particulars, with all poſſible Expedition, and then he ſhall give all the World an account, How ſenſible he is of the Miſery of Ireland, *and how deſirous he is to find or embrace any way for their Relief. The beſt, if not the only way to which, His Majeſty conceives would be by a good and bleſſed accommodation of the lamentable Diſtractions of this Kingdom. Which, if the matter of His Majeſties laſt Meſſage, were ſo entertain'd as his Majeſty hoped and expected, might, by the Bleſſing of* GOD, *in a ſhort time be effected.*

By

19 *Caroli*

By the King.

A Proclamation against the Oppression of the Clergy, by the Intrusion of Factious and Schismatical Persons into their Cures, and Inverting and detaining their Tythes and Possessions, by Orders of One or Both Houses of Parliament, contrary to all Law and Justice.

His Majesties Proclamation against the Oppression of the Clergy, May 15. 1643.

WHereas, *By the Great Charter of the Liberties of* England, *it is provided That the Church should have all her Rights whole, and the Liberties inviolable; and, amongst others, the Church hath these Privileges; That regularly, no Ecclesiastical Possessions may be Extended, Seized, or Sequestred, but by the Ordinary: And that* Distresses *may not be taken of Lands, wherewith Churches have been anciently Endowed; and that Churches Presentative cannot be filled, and the lawful Incumbents thereof removed, but by the Ordinary; nor the Cure of the Incumbents served by Curates, Lecturers, or others, but by their own appointment; or, in their default, by the appointment of the Ordinary: Neither are any of our Subjects of the Laiety, by the Common Laws of our Realm, capable to take or receive Tythes (which are the Portion of the Clergy) unless by Demise from them, or such as are appropriate or made Lay-Fee: Nevertheless, by Colour of Orders, or pretended Ordinances of One or Both Houses of Parliament, the Estates Real and Personal, as well of our Clergy as Laiety, have been, and are daily Seized, Sequestred, and taken from them, and their Possessions distrained for Illegal Taxes and Contributions for supporting the Rebellion against us; which being clearly against Law, and unwarrantable, We did forbid, by our Proclamation, of the Seventh of* April *last, and do hereby forbid the same, under the Penalties in that our Proclamation contained: And whereas divers of our Clergy, eminent for their Piety and Learning, because they publish our lawful and just Commands and Declarations, and will not, against the known Laws of the Land, and their own Conscience, submit to Contributions, nor publickly pray against Us and our Assistants, but conform themselves to the Book of Common-Prayer, established by Law, and Preach* God's *Word according to the Purity thereof; and in their Sermons will not teach Sedition, nor will Publish Illegal Commands and Orders for fomenting the Unnatural War, levied against us, are some of them driven and forced from their Cures and Habitations, some others silenced and discharged from the Exercise of their Cures, and Persecuted, and their Curates if Orthodox displaced; and others, who are Factious and Schismatical, intruded and put in, to sow Sedition, and seduce our good Subjects from their Obedience, expresly contrary to the Word of* God, *and the Laws of the Land, and the Glebe, Tythes, and other Emoluments of right belonging to such Incumbents as will not conform to that Faction, are diverted in all Parishes where such Arbitrary Power prevails, and distributed, part to such Factious Curates, and the rest to the maintenance of this War, against Law, and the Liberties of the Church. Our Will and Pleasure therefore is, and we do hereby straitly Charge and Command all Our Subjects, as well Ecclesiastical as Temporal, not to presume to intermeddle in discharging or hindring any of our said Clergy for the Cause aforesaid, or any other the like Pretences, or any of them from the Exercise of their Cures or Functions, or in displacing the said Curates, substituted by them. Nor do presume to intrude, or cause any Curates, Lecturers, or others, to be intruded, or put into such Cures, or to take or dispose the Glebe, Tythes, Fruits, or Emoluments, belonging to any of our said Clergy, who are Silenced, forced from their Cures, and Persecuted as aforesaid. And we do hereby require and Command all Our Subjects, duly to set forth and pay their Tythes to their several and respective lawful Incumbents of their Parishes, or to their Farmers, Assigns, or Deputies, without any Guile or Fraud; and so as the same may be received and enjoyed by the same Incumbents, without any diminution, subtraction, or diversion: Notwithstanding any Sequestration or pretended Orders or Ordinances, or other Command whatsoever of One or Both Houses of Parliament: And if any Person or Persons whatsoever shall presume to Transgres this our Command; We do hereby declare and signifie, That they do not only oppugne and infringe the good Old Laws of the Land, and the Liberties of the Church (which all Our Subjects, as well as Our Self, are bound to maintain and observe) but do also assist a Rebellion against Us, for which we shall proceed against them according to Law, as they shall be apprehended*

An. 1643.

hended and brought to the hands of Juſtice, and will give direction for taking their Lands and Goods into ſafe Cuſtody in the mean time.

And we do hereby further ſtraitly Command and require all Church-Wardens, Sides-Men and Pariſhioners whatſoever, to reſiſt all ſuch Perſons as ſhall be ſo Intruded, or put into any of the Cures aforeſaid, by or upon pretence of any ſuch pretended Orders or Ordinances, or Commands, as aforeſaid, and to aſſiſt (as much as in them lieth) the lawful Incumbents, their Curates, Farmors, Aſſigns, or Deputies, in the receiving, taking, and enjoying the Glebe, Tythes, Fruits, and Emoluments, to them of right belonging. Willing and Commanding all Sheriffs, Mayors, Bayliffs, Juſtices of Peace, Conſtables, Headboroughs, and other our Officers and Loving Subjects whatſoever, upon their Allegiance, and the ſevereſt Puniſhment, that by the Law may be inflicted upon them, not only to obey and obſerve carefully theſe our Commands, but to be aiding and aſſiſting to the utmoſt of their Power, to all ſuch Perſons as ſhall require their Aſſiſtance and Protection in this behalf; and to reſiſt and repel by force of Arms, all ſuch as ſhall oppoſe this our Legal Command. And our Will and Pleaſure is, That this our Proclamation be read in all Churches and Chappels in this our Kingdom.

Given at Our Court at *Oxford*, the 15*th* day of *May*, in the 19*th* Year of Our Reign.

An Ordinance of the Lords and Commons, Aſſembled in Parliament, concerning the Arch-Biſhop of *Canterbury*, who, by reaſon of many great and weighty Buſineſſes, cannot as yet be brought to his Tryal.

Die Martis, 16 *Maij*. 1643.

Ordinance that Arch-Biſhop *Laud* ſhall not preſent to Eccleſ. Livings, *May* 16. 1643.

WHereas, William Lawde, *Arch-Biſhop of* Canterbury, *ſtandeth impeached in this preſent Parliament for High-Treaſon, and for divers other great Offences and Misdemeanors; and by reaſon of many great and weighty buſineſſes he cannot yet be brought to Tryal for the ſaid Offences and Misdemeanors; and he, in reſpect of his ſaid Arch-Biſhoprick of* Canterbury, *hath Power to give and Collate fit Clerks to divers Parſonages, Vicaridges, Prebends, and other Eccleſiaſtical Promotions and Preferments; and if any of them ſhould become void, and he left to Prefer whom he pleaſe to the ſame, the ſame may prove very inconvenient, he beſtowing them upon unfit and unworthy Perſons.*

Be it therefore *Ordered and Ordained, by the Lords and Commons in this preſent Parliament, That in caſe any of the aforeſaid Parſonages, Vicaridges, Prebends, or other Eccleſiaſtical Promotions or Preferments, now be, or ſhall hereafter, and before the Tryal of the ſaid Lord Arch-Biſhop become void: That the ſaid Lord Arch-Biſhop of* Canterbury, *ſhall forbear to preſent or Collate any Perſon or Perſons thereunto, without the leave and Order of Both Houſes of Parliament. And it is further Ordered and Ordained, That the ſaid Lord Arch-Biſhop ſhall, from time to time, until his ſaid Tryal preſent and Collate ſuch fit Perſon or Perſons, to every ſuch Parſonage, Vicaridge, Prebend, and other Eccleſiaſtical Preferment, as aforeſaid, which now are, or hereafter before his ſaid Tryal ſhall become void, as by Both Houſes of Parliament ſhall be nominated and appointed. And it is further Ordered by the ſaid Lords and Commons in Parliament, That all Arch-Deacons, Regiſters, and other Officers, Miniſters, and Perſons whatſoever, ſhall forbear to give, or make any Admiſſion, Inſtitution, Collation, or Induction of any Perſon or Perſons whatſoever, which by the ſaid Arch-Biſhop ſhall be Preſented, in or to any ſuch Parſonage, Vicaridge, Prebend, or other Eccleſiaſtical Preferment, other than ſuch Perſon and Perſons as ſhall be nominated and appointed by Both Houſes of Parliament as aforeſaid. And it is laſtly Ordered, That the Lord Arch-Biſhop, and the Church-Wardens of every Pariſh, and other Officers of the Church, where any Parſonage, Vicaridge, Prebend, or other Eccleſiaſtical Promotions or Preferments, in the Donation or Gift of the ſaid Arch-Biſhop are, ſhall within Two Months after the reſpective Avoidance thereof, give notice of ſuch Avoidance to the Lord Speaker of the Houſe of Peers, for the time being.*

An

19 *Caroli.*

An Ordinance whereby the Commiſſioners Named in a late Act of Parliament for Raiſing the Subſidy of 400000 *l.* in the ſeveral Counties of this Kingdom, are Authoriſed to Take, and Receive all ſuch Moneys, Victuals, Arms, Ammunition, Goods, Wares, and Commodities, as have been lately Collected, for the Relief of *Ireland*; which the Church-wardens, and other Collectors, are required to pay in without delay.

May 17.

His Majeſties Meſſage ſent the Twentieth of *May*, 1643.

May 20. Kings Meſſage for an Anſwer to his Meſſage of the 12th of *April* for Peace; * Which Meſſage of the 12th of *April* ſee before in the Chapter of the Treaty at *Oxford*.

Since His Majeſties Meſſage of the Twelfth of April * *(in which He conceived He had made ſuch an Overture for the immediate Disbanding of all Armies, and Compoſure of theſe miſerable and preſent Diſtractions, by a full and free Convention of Parliament, that a perfect and ſettled Peace would have enſued) hath in all this time, above a full Month, procured no Anſwer from both Houſes, His Majeſty might well believe Himſelf Abſolved both before God and Man from the leaſt poſſible Charge of not having uſed His utmoſt Endeavours for Peace; Yet when He conſiders, That the Sence of all this Calamity is in the Bowels of His own Kingdom; that all the Blood which is ſpilt is of His own Subjects; And that what Victory ſoever (it ſhall pleaſe God to give him) muſt be over thoſe who ought not to have lifted up their Hands againſt Him: When he conſiders that theſe deſperate Civil Diſſentions may* Encourage *and Invite a Foreign Enemy to make a prey of the whole Nation: That* Ireland *is in preſent danger to be totally loſt; That the heavy Judgments of God, Plague, Peſtilence, and Famine, will be the inevitable Attendants of this Unnatural Contention. And that in a ſhort time there will be ſo general a habit of Uncharitableneſs and Cruelty contracted through the whole Kingdom, that even Peace itſelf will not reſtore His People to their old Temper and Security; His Majeſty cannot but again call for an Anſwer to that His Gracious Meſſage, which gives ſo fair a Riſe to end theſe Unnatural Diſtractions: And His Majeſty doth this with the more Earneſtneſs, becauſe he doubts not the Condition of His Arms in ſeveral parts, the ſtrength of Horſe and Foot, Artillery; His plenty of Ammunition (which ſome Men lately might conceive he wanted) is ſo well known and underſtood, that it muſt be Confeſt, nothing but the Tenderneſs and Love to His People, and thoſe Chriſtian Impreſſions, which always live, and he hopes always ſhall dwell in His Heart, could move him once more to hazard a Refuſal. And He Requires them, as they will Anſwer to GOD, to Himſelf, and all the World, that they will no longer ſuffer their Fellow Subjects to welter in each others Blood; that they would Remember by whoſe Authority, and to what End they met in the Council; and ſend ſuch an Anſwer to His Majeſty as may open a Door to let in a firm Peace, and ſecurity to the whole Kingdom. If His Majeſty ſhould again be diſappointed of his Intentions therein, the Blood, Rapine, and Deſtruction, which may follow in* England *and* Ireland, *will be caſt upon the Account of thoſe, who are deaf to the Motives of Peace and Accommodation.*

May 23. The Queen Impeached.

The Queen having been very Induſtrious whilſt ſhe was in *Holland* to furniſh the King with Arms, Ammunition, *&c.* And being now in the head of a conſiderable Army at *York*, ready to march Southward, the Houſe of Commons this day Reſolved to Impeach Her Majeſty of High Treaſon, and Mr. *Pym* was ſent up, and at the Bar of the Lords Houſe did Impeach Her Majeſty accordingly; promiſing in the Name of the Commons, to bring in particular Articles to make good that General Charge.

Her Majeſties Sentiments of this Accuſation may in ſome meaſure appear by the following Letter, written ſome few days after into *Scotland* to Duke *Hamilton*, wherein Her Majeſty takes Notice thereof.

Her Majeſties Letter to Duke *Hamilton* about the beginning of *June*, mentioning this Impeachment. *See Hamilton's Memoirs, f.* 299

Couſin,

I Received your Letter, and have given an Account to the King of what you tell Me. I hope the Kings Faithful Servants will be the more firm to his Service, the more the Wickedneſs of others appears, and will by their Care and Diligence prevent the Malice

of

An. 1643. *of others. We had here a Miſchance in one of our Quarters, by the Negligence of our People: The greateſt loſs we have had, is known, yet we are not at all diſcouraged, and hope quickly to have a Revenge. Our Army conſiſts, without Reckoning the Gariſons, of* 7000 *Foot, and* 69 *Troops of Horſe, beſides My two Regiments; ſo that for all our Miſchance, We are in no ill Condition. I have News from the King, that His Army is as ſtrong as* Eſſex's, *and that* Eſſex *dares not advance. The King hath ſent Prince* Maurice *to the Weſt with* 2000 *Horſe and* 1000 *Foot. The Gentlemen of the Weſt have promiſed to raiſe an Army of* 10000 *Men in Six Weeks, ſo that I can aſſure you, all our Affairs go well. And from* France, *(except the Death of the King my Brother) I have very good News; as likewiſe from* Denmark. *If the King does not preſs me to go to Him quickly, I hope to ſee* Leeds *taken before I part. You will give a ſhare of theſe News to all our Friends, if any dare own themſelves ſuch, after the Houſe of Commons hath declared Me Traitor, and carried up their Charge againſt Me to the Lords. This I aſſure you is true, but I know not yet what the Lords have done upon it. God forgive them for their Rebellion, as I aſſure you I forgive them from my Heart for what they do againſt Me; and ſhall ever continue as I have promiſed.*

Your Affectionate Couſin and Friend,

Henrietta Maria R.

Tueſday the 30th of *May* 1643. Diſcovery of the Deſign of Mr. *Tompkins*, Mr. *Challoner*, &c.

At this time happen'd the Diſcovery of a notable Deſign, carried on by Mr. *Tompkins*, Mr. *Waller*, Mr. *Challoner*, and others; The firſt Notice whereof was given by one Mr. *Roe*, Servant to Mr. *Tompkins*, who having over-heard ſome of their Conſultations, imparted the ſame to a Member of the Houſe of Commons; whereupon a Committee was appointed to Inquire into the ſame; *viz.* Mr. *Pym*, Sir *Henry Vane* Junior, Mr. Soliciter *St. Johns*, and Mr. *Glyn*, (not long before choſen Recorder of *London*) who having ſeveral Days and Nights traced the ſame, and divers of the Perſons concerned being ſecured, the Houſe of Commons deſired a Conference with the Lords, where Mr. *Pym* communicated to them the Subſtance of the Deſign, and ſoon after ſet the ſame forth in Print, with an Order that the ſame ſhould be Read in all Churches and Chapels in *London* and *Weſtminſter*, and the Suburbs thereof, as follows.

I. THat the Conſpiracy was formed of a mixture and Conjunction of Perſons of ſeveral Qualities, ſome whereof were of both Houſes of Parliament, others of the City, and others belonging to the Court, who in their reſpective Places and Imployments, were to form and perfect the Work, raiſed out of the Aſhes of the late Petition of *London* for Peace.

II. The chief Actors were Mr. *Waller*, a Member of the Houſe of Commons, who pretended, and gave out to the reſt, that many others of that Houſe, and of the Lords, were privy to, and concerned therein; Mr. *Tompkins*, a Gentleman living in *Holborn*, Brother-in-Law to the ſaid Mr. *Waller*, and a Servant to the Queen, as being Secretary to the Commiſſioners for her Majeſties Revenue; Mr. *Challoner* an Eminent Citizen; one Mr. *Blinkard*, Mr. *Alexander Hampden*, who brought the laſt Meſſage from the King, Mr. *Haſſel* one of His Majeſties Meſſengers, *&c.*

III. The Method was for ſeveral Perſons in the City to diſpoſe of themſelves into a Committee, to hold Intelligence with both Armies, the Court, and the Parliament. To take a general Survey of the Affections of all the Inhabitants within the Weekly Bills of Mortality, which was to be done under theſe 3 Ranks; *Right Men*, (or of the King's Party;) *Averſe Men*, (or the well-affected to the Parliament;) and *Moderate Men*, (or Neutrals;) To Conſider of Arms, Ammunition, and all Proviſions of War: To appoint out of themſelves ſelect Perſons to Treat with Mr. *Waller*, and Mr. *Tompkins*, in Relation to the City, Court and Parliament; as alſo with Sir *Nicholas Criſpe*, Sir *George Binion*, Captain *Roydon*, and others then at *Oxford*.

Mr.

19 Caroli

IV. Mr. *Waller*'s part was to engage a conſiderable part of the Lords and Commons, and to be a means of conveying Counſels, Reſolutions, and Intelligence between them and the ſaid City-Committee. Mr. *Tompkins* was not only an Aſſiſtant to Mr. *Waller* therein, but an Inſtrument to convey by *Haſſel*, and others their Proceedings to the Court, principally to the Lord *Falkland*, and to receive thence Directions, Powers, and Commands.

V. For preventing Diſcovery, Proteſtations of Secreſie were taken, as they were Chriſtians not to diſcloſe it; and no Man in the City was to endeavour the engaging above Two, whereby no one Man could Impeach many.

VI. From the Court, Mr. *Heron*, and Mr. *Alexander Hampden*, and others imployed upon Meſſages from the King to the Parliament, were to convey Directions, Encouragements, and Advice to thoſe in *London*; And Authority was to be given under the Great Seal, and Warrants under the King's Hand for ſettling a Council of War, naming of Generals, and other Officers, Execution of Martial Law, Raiſing of Money, and providing Arms; And to facilitate the whole, part of the Kings Forces to be in readineſs to aſſiſt the Party here, as there ſhould be occaſion.

VII. The particulars of the Deſign it ſelf, were, To ſeize the Kings Children, To ſecure ſeveral Members of Parliament, particularly the Lord *Say*, the Lord *Wharton*, Mr. *Pym*, Sir *Philip Stapleton*, Colonel *Hampden*, and Colonel *Strode*; As alſo the Lord Mayor, and Committee of the Militia, under pretenſe of bringing them to a Legal Trial; To ſeize upon the Outworks, Forts, Magazines, Gates, and other places of importance in the City, and the Tower, and let in the Kings Forces; and in the mean time to reſiſt and obſtruct all Payments impoſed by Authority of the Two Houſes for ſupport of their Armies.

VIII. For their Authority they had the following Commiſſion brought up by the Lady *Aubigny*, (who was now taken into Cuſtody) the ſaid Commiſſion being found hid under Ground in Mr. *Tompkins*'s Cellar.

A Commiſſion under the great Seal, to ſeveral Perſons in *London*.

CHARLES *by the Grace of* GOD, *King of* England, Scotland, France, *and* Ireland, *Defender of the Faith, &c. To our Truſty and Well-Beloved Sir* Nicholas Criſpe, *Sir* George Stroude, *Knights, Sir* Tho. Gardiner *Knight, Recorder of* London, *Sir* George Binion *Knight*, Richard Edes, *and* Marmaduke Roydon *Eſquires*, Tho Broom *Eſq*; Peter Paggon, Charles Jennings, *Sir* Edw. Charlton, Robert Abbot, Andrew King, William White, Stephen Bolton, Robert Alden, Edmund Foſter, Tho. Blinkhorn *of London, Gentlemen*; *and to all ſuch other Perſon and Perſons as according to the true intent and purport of theſe Preſents, ſhall be nominated and appointed to be Generals, Colonels, Serjeant-Majors, or other Officers, or of our Council of War, Greeting. Whereas in our Cities of* London *and* Weſtminſter, *and Suburbs thereof, our Borough of* Southwark, *and County of* Middleſex, *there are raiſed and continued great numbers of Military Forces, both Horſe and Foot; who under the Command of* Robert *Earl of* Eſſex, *as their General, and under the Conduct of divers others, pretending to derive their Authority from the Two Houſes of Parliament, have Traiterouſly Leavied War, and Rebelled againſt Us, their Natural Liege Lord, and many of our Subjects have been Seduced by falſe Informations, by the practice of a few, who have been the Contrivers of theſe miſchievous Plots, and have joined with them either in Perſon, or by aiding of them with Men, Money, Horſes, or other Things; and many of our good and loyal Subjects, over-awed by the Power of the Rebels, have been enforced to contribute to them for the Maintainance of this Unnatural War, and others refuſing, have been Plundered and Robbed of their Eſtates, and ſome committed to ſeveral Priſons, and others Barbarouſly uſed, contrary to the Liberty of Free-Born Men, the Laws of the Land, and contrary to all Humanity; Of which Injuries and Calamities falling upon our good Subjects, we are very ſenſible, and deſirous to give Relief to our good Subjects by all the beſt means we can; and to reſiſt the Violence and Inſolence of the Rebels and their Adherents, We having no other End therein, but to preſerve the true Proteſtant Religion in the Integrity and Purity thereof; to maintain the Laws of the Land, and the Liberty of the Perſons, and the Property of the Eſtates of our Subjects, and the juſt Privileges of Parliament, have thought fit for our better Service to ſettle* a Council of War, *in, or about Our City of* London, *who may take thoſe Things into their ſad Conſiderations, which may conduce beſt to this End, and to have ſuch Commanders and Officers ſetled in the Places aforeſaid, which may both Raiſe, and Govern, and lead ſuch Forces as may be Raiſed there.*

An. 1643.

Know ye therefore, That we, repoſing ſpecial Truſt and Confidence in your Fidelities, Induſtries, and good Diſcretions, have made choice of, nominated, and appointed you to be our Council of War for the ſaid Cities of London *and* Weſtminſter *and Suburbs thereof, our ſaid County of* Middleſex *and Borough of* Southwark; *and do hereby give and grant Authority to you, or any Four of you, to make choice of ſuch other able and diſcreet Perſons as you ſhall think fit to nominate under the Hands and Seals of any Four of you, which with your ſelves ſhall make up in all the Number of* 21, *and no more. And we do give and grant to you, or any Four of you, Power and Authority, at ſuch times and in ſuch places as you ſhall think convenient, to aſſemble and meet together, and there to conſult, adviſe, and reſolve of all ſuch things, and of ſuch ways and means as you or any Four of you ſhall think fitteſt, for the raiſing of Forces, both of Horſe and Foot, either of the Inhabitants of the ſaid Cities, County and Borough, or any adjacent Counties, or other places, who will voluntarily Aſſociate themſelves to that purpoſe; and theſe Forces to Arm, Muſter, Conduct, Order, Lead, and Govern, in the places aforeſaid, or in any the Counties adjacent, or elſewhere, in ſuch manner as you your ſelves, or ſuch other able and fit Perſons as you or any Four of you ſhall appoint, according to theſe preſents, ſhall think fit.*

And the better to effect this our Service, We do further give and grant to you or any Four of you, Power and Authority, under your Hands and Seals, to make choice of and appoint ſuch a fit Perſon as you ſhall think meet, to be Captain-General of all theſe Forces thus to be raiſed, and ſuch other Perſons as you or any Four of you ſhall in like manner make choice of and appoint to be Colonels, Lieutenant-Colonels, and Serjeant-Majors, over the ſaid Forces, in ſuch manner, and in ſuch places as you ſhall ſo appoint; who by Vertue thereof, and by Vertue of theſe Preſents, ſhall have Power and Authority to do, execute and perform all ſuch things which to theſe ſeveral Offices and Employments, according to Law-Martial, do belong. And we do hereby promiſe and Grant, That with all convenient Speed, after we ſhall have Notice from you or any Four of you, under your Hands and Seals, of your Nomination of any Perſon or Perſons to thoſe ſeveral Places, we ſhall Grant and Confirm unto them and every of them reſpectively thoſe ſeveral Places to which you have nominated them, as aforeſaid, under our Great Seal of England, *or otherwiſe as ſhall be reaſonably deviſed and required of us.*

And we do further by theſe Preſents give and grant unto you full Power and Authority, by all ſuch good ways as you or any Four of you, under your Hands ſhall agree upon, to raiſe Money *for the Cloathing, Arming, Furniſhing and Paying of all ſuch Soldiers as ſhall be thus raiſed, and for the providing of all Ammunition and other Neceſſaries for the War; All which Money, upon a juſt Account, we do, for us, our Heirs and Succeſſors, promiſe, grant, and agree, well and truly to repay, ſo ſoon as we ſhall be enabled thereunto, and in the mean time to ſecure the ſame to thoſe who for our Service, and by your Mediation and Induſtry, ſhall lend or diſburſe the ſame. And we do further by theſe Preſents Grant, That ſuch Generals, Colonels, Lieutenant-Colonels, and other Officers ſo by you nominated as aforeſaid, ſhall have full Power and Authority, by Vertue of theſe Preſents, to lead and order the Soldiers ſeverally under their Charges, and with them to Fight againſt our Enemies and Rebels, and them to* Slay and Deſtroy, *or them to Save, according to the Law-Martial, or Courſe of War: For the doing of all which, this ſhall be to you, them, and every of them, a ſufficient Warrant. Willing and Commanding all ſuch Officers and Soldiers, which by Vertue hereof you ſhall retain, to obey readily, and receive and accompliſh your Directions, Commands, and Summons in all things hereto appertaining or neceſſary to be done: As alſo all Mayors, Sheriffs, Juſtices of Peace, Commiſſioners of Array, and all other our Officers and loving Subjects, to be aiding and aſſiſting, both to you, and to all ſuch Officers and other Perſons whom you ſhall appoint under any Four of your Hands and Seals, for the Furthering and Advancement of this our eſpecial Service; For which this ſhall be to you, to them, and every of them, a ſufficient Warrant. In Witneſs whereof we have cauſed theſe our Letters to be made Patent, Witneſs Our Self, at* Oxford *the* 16*th Day of* March, *in the* 18*th Year of Our Reign.*

IX. In purſuance of this Commiſſion, they had often conſulted of a General, and treated with Sir *Hugh Pollard*, Priſoner in the Compter, (once a Member of the Houſe of Commons, but expell'd, being accuſed of having an hand in the Deſign to bring up the Northern Army againſt the Parliament,) about it. And a Declaration was ready drawn, ſetting forth the Cauſe of their taking up of Arms to be in Purſuance of their late Proteſtation to maintain the true Reformed Proteſtant Religion againſt all Papiſts and Sectaries, to oppoſe illegal Aſſeſſments,

Aſſeſſments, *&c.* Which was to be diſtributed to their Friends, and on the Night of their Riſing ſet upon the Poſts round about *London*. Concerning which time of their Riſing, they had alſo Conſulted, (of which preciſe Notice was to be ſent to *Oxford*, as to the Day and Hour,) and ſome moved to have it done on Wedneſday the laſt of *May*, (being the Faſt Day, and the very next Day after the firſt Intimation was given towards a Diſcovery,) but it had been put off, and not fully concluded, it being ſaid *it ſhould be left to the Lords to determine*, whom *Waller* pretended ſhould ſide with them. Mr. *Hyſel* lay cloſe at *Beaconſfield*, and had Word ſent, *The great Ship was come into the Downs*; by which he was to underſtand that the Deſign was near ripe: And he acquainted the Lord *Falkland* at *Oxford therewith*, and received Anſwer, That they ſhould haſten it with all ſpeed. And when they were ready, 3000 of the King's Forces were to advance from *Oxford* within 15 Miles of *London*, to be ready upon Notice to fall into the Works and aſſiſt. And white *Ribons* or *Tape* was agreed to be worn by all concerned in this Action, to diſtinguiſh them, *&c.*

19 *Caroli*

The Parliament, upon this Diſcovery, formed an *Oath* or *Vow* to be taken by the Members of both Houſes, and by their Army; and appointed a General Thankſgiving to be kept throughout the Kingdom; at which time a Printed Narrative of this Deſign was to be read, and the ſaid Oath or Covenant to be tendered to all Perſons; (but no Penalty ſet on the Refuſers) the Oath being as follows.

The Vow or Covenant taken by the Commons, *June* 6. 1643. and recommended to be taken through out the Kingdom.

I A. B. *in Humility and Reverence of the Divine Majeſty, declare my hearty Sorrow for my own Sins and the Sins of this Nation, which have deſerved the Calamities and Judgments that now lie upon it: And my true Intention is, by God's Grace, to endeavour the Amendment of my own ways. And I do further in the Preſence of Almighty God Declare, Vow, and Covenant, That in order to the Security and Preſervation of the true Reformed Proteſtant Religion and Liberty of the Subject, I will not conſent to the laying down of Arms, ſo long as the Papiſts, now in open War againſt the Parliament, ſhall by force of Arms be protected from the Juſtice thereof: And that I do abhor and deteſt the wicked and treacherous Deſign lately diſcovered; and that I never gave, nor will give my Aſſent to the Execution thereof, but will according to my Power and Vocation oppoſe and reſiſt the ſame, and all other of the like nature. And in caſe any other like Deſign ſhall hereafter come to my knowledge, I will make ſuch timely Diſcovery as I ſhall conceive may beſt conduce to the preventing thereof. And whereas I do in my Conſcience believe, That the Forces raiſed by the Two Houſes of Parliament are raiſed and continued for their juſt Defence, and for the Defence of the true Proteſtant Religion and Liberty of the Subject, againſt the Forces raiſed by the King; That I will, according to my Power and Vocation, aſſiſt the Forces raiſed and continued by both Houſes of Parliament, againſt the Forces raiſed by the King, without their Conſent: And will likewiſe aſſiſt all other Perſons that ſhall take this Oath, in what they ſhall do in purſuance thereof; and will not directly or indirectly adhere unto, nor ſhall willingly aſſiſt the Forces raiſed by the King, without the Conſent of both Houſes of Parliament. And this Vow and Covenant I make in the Preſence of Almighty God, the Searcher of all Hearts, with a true Intention to perform the ſame, as I ſhall anſwer at the* Great Day, *when the* Secrets *of all Hearts ſhall be diſcloſed.*

The Parliament ſent to General *Eſſex*, deſiring him to appoint a Council of War for Trying of Mr *Tompkins*, &c Which was done; and on Friday the 30*th* of *June* a Council of War ſate at *Guildhall*, conſiſting of 22 Colonels of the City and of the Lord General's Army, the Earl of *Mancheſter* being Preſident; before whom Mr. *Tompkins*, Mr. *Challoner*, Mr. *Blinkhorn*, Mr. *Abbot*, Mr. *White*, and Mr. *Hampden*, were ſeverally brought to the Bar, and their Examinations and Confeſſions produced by the Advocate-General, and read; and upon Monday *July* 3. *Tompkins* and *Challoner* received Sentence of Death; and the next day, *Blinkhorn* and *Abbot*: But *Hampden* being fallen ſick, his Tryal was put off; and as for Mr. *White*, the Court agreed not in their Judgment.

An. 1643. *Tompkins* and *Challoner* Executed.

On Wednesday *July* 5. Mr. *Tompkins* was Executed on a Gibbet, at the end of *Fetter-lane* in *Holborn* (near his own House.) And the same day Mr. *Challoner* suffered in like manner over against the *Royal-Exchange*. Their Speeches (as they were Printed in those times) were as follow.

Mr. *Tompkins*'s Speech upon the Ladder immediately before his Execution, *July* 5. 1643.

Gentlemen,

I Do humbly acknowledge in the sight of Almighty God (to whom, and to Angels, and to this great Assembly of People, I am now a Spectacle) That my Sins have deserved of him this untimely and shameful Death; and I humbly submit to it: And seeing all our Times are in his Hand, and that a Sparrow falls not to the Ground, but with his Providence, much more Man, *that bears his Image. I am no* Atheist, *but do acknowledge God's great Protection to me, and his Goodness and Mercy, in that he hath, during all this Trouble I have undergone, preserved my Heart, and kept it from Sin, and from thoughts of Distraction: I acknowledge his great Mercy. I am no* Papist; *I must tell you why I shall speak a little of this, because I have been desired by a good and ancient Friend of mine to declare my self in this Point; and therefore I shall say somewhat to you of this. I say, I was never Papist, nor Popishly inclined; and for some Relations I have had to some that way, I did never make any shew of the least Inclination to Papisin. I have sometimes had Conference and Disputes with some Jesuits, (in foreign Parts chiefly) I thank God, my Principles of Religion were so grounded, they could never shake me: I have been called by some of them an* Heretick in Grain. *But this is true, (which might make that worthy Friend of mine put me in mind to clear my self in this point) in regard of some Relations, and in regard I received very civil Usage from those of that Religion in foreign Parts, where that Religion is professed; I returned the like Civility to them here, as I had Occasion, and especially to those whom any Civil Affair brought into my Conversation. And truly if I were to live, I should do the same thing, having no Calling to the contrary: If I were an Officer, it were something. I do forgive all the World, as I desire all the World should forgive me. Touching the Business for which I suffer, I do acknowledge, That Affection to a Brother-in-Law, and Affection and Gratitude to the* King, *whose Bread I have eaten now above* 22 *Years; (I have been a Servant to him* 20 *Years, I have been a Servant to him when he was Prince, and ever since; it will be* 23 *Years in* August *next) I confess, these two Motives drew me into this* foolish Business. *I have often since declared to good Friends, That I was glad it was discovered, because it might have occasioned very ill Consequences; and truly I have repented having any hand in it.*

Gentlemen, *I Thank God, God hath given me so good a Heart, and such Presence of Mind, as I was confident he would either take me out of this Danger, or that he would be present with me, to assist me in bearing this Trouble. I do acknowledge this as a great Mercy, either to take me away from the Days of Sin, or to take me away from the Evils of the Time to come, which God avert; or to take me away from the Infirmities of Age, now approaching upon me. I know not what more to say.*

Then turning to the Executioner, he said,

Honest Friend, I forgive you, as the Executioner of Justice; I forgive you, and I do Recommend my self into the Hands of God Almighty; and one thing pray give me leave to say, I hope to be saved by Faith in *Jesus Christ.*

Lieutenant-Colonel *Washborn,* ask'd Mr. *Tompkins, Do you acknowledge this your Suffering to be just?* Mr. *Tompkins* answered, *I have said it already, pray do not trouble me.* Then Lieutenant-Colonel *Washborn* said to him, *Whereas you have had a hand in this you suffer for, if you know any other Plot that is prejudicial to the Parliament or State, pray Reveal it.* Mr. *Tompkins* answered, *Pray trouble me not; I have done my Duty.*

Then the Executioner performed his Office: And it was to be noted, That in all this time, from the beginning to the end, he never so much as altered his Countenance, nor by his outward Appearance seemed in the least abashed with the Apprehension of Death.

Gentlemen,

19 *Caroli.*

Mr. *Challoner's* dying Words.

Gentlemen,

IT *hath pleased* God *to bring me to this place*; God *hath now returned my Prayer upon me: My Prayer was*, That if this Design might not be Honourable to him, that it might be known: God *hath heard me, and it is discovered, the very same thing hath satisfied me, that I was in an Error, and that I am confident I was in a great deal of fault: And, I confess, I do now* Dye justly; *and I pray* God, *that I may now Glorifie the Lord. I shall only thus much declare to the World, that may take off the Aspersion that was laid upon my Partner and my Wife, which neither of them did know of this Design. I have declared my Conscience freely to* God *and the World, in every particular that concerns the Business. Thus much I shall say for my own particular; There were Three things laid to my Charge, which there was some mistake in, concerning the King's Letter, whereas it was thought to be another way: I thank* God *it was not that way. Then concerning the Seal, I had no hand in the procuring of it; nor knew not of it till the* Friday. *There is another thing, That is concerning the seizing of the Magazines, which I had no hand in neither. But I Dye justly, and deserve this Punishment.*

But now to you all that are here, Let my Example be to you, that you never take your self to any thing but what you have Warrant for from the Lord: I had no Warrant I Vow to God, *that hath now satisfied me: The Lord, I hope, will forgive me. I have heartily repented: And I beseech you all to take this as a Warning. And whereas there is now a great deal of Distraction and Division in the City; and that we now make difference between* God's *Ministers and* God's *Ministers; despise no Means: I acknowledge my Fault: I did make some difference, and I now acknowledge it, and desire the Lord to forgive me: I have received more Comfort from such Men than ever I had before. I shall not now have much to say: But I desire heartily the whole World would forgive me. I do beg of my* God, *and of my* Christ, (*whom I have not Honoured so much as I should have done*) *that he would have Mercy upon me. And now to you All I speak, I do now as freely forgive you, as I trust my Saviour* Jesus Christ *hath forgiven me. And so, Lord* Jesus, *into thy hands I commend my Spirit, for Thou hast Redeemed me, O Lord* God, *and so the Lord take me, the Lord receive me.*

Then his Father tendred him the King's Pardon, saying, *Here is the King's Gracious Pardon.* To which Mr. *Challoner* answered; Sir, *I beseech you, trouble me not with it. Pray speak to my Friends to take care of my Corps, and carry me home.* Then Mr. *Peters* said to him, *You are now before the Lord of Heaven; if you have any thing about the Lords you spoke of so often last Night, I beseech you speak your Conscience.* Mr. *Challoner* answering, said, *Gentlemen, This is the happiest day that ever I had. I shall now* (Gentlemen) *declare a little more of the occasion of this, as I am desired by Mr.* Peters, *to give him and the World satisfaction in. It came from Mr.* Waller *under this Notion,* That if we could make a moderate Party here in *London*, to stand betwixt, and in the Gap, to unite the King and the Parliament, it would be a very acceptable Work; for now the Three Kingdoms lay a Bleeding, and unless that were done, there was no hopes to unite them. *Withal I made this Reply: Sir,* If I could assure you of Three parts of *London,* none of them should stir unless we had the Countenance of the Lords and Commons. To this he replied, *You shall have to Countenance this Business, the whole House of Lords (except Three or Four) and divers of the House of Commons. We were promised we should speak with these Lords; and, in truth, except we had spoken with these Lords, nothing could have been done: For Mr.* Abbot, *Mr.* Blinkhorn, *Mr.* Luntloe, *Mr.* King, *and my self, agreed, That we would not stir till these Lords had declared themselves, and would be Engaged. And now,* Gentlemen, *I have another thing to declare, which shall be in the behalf of those that are Condemn'd. As Mr.* Waller *was the Mouth from the Lords, as he did declare, so I was the unhappy Instrument from Mr.* Waller *to the rest: The Sentence is now past, I desire, if it might be, That it might be moved to the House, That no more might suffer in this Cause. This is all I have to say, and desire your hearty Prayers to* God *for me.*

Then one Mr. *Smart* said to him, Mr. *Challoner, If you were to live longer, would you ever have done the like again.*

Mr.

An. 1643.

Mr. *Challoner* anſwered, *I am thus far confident, That if it had pleaſed* God *to lend me Life, I think I ſhould have ran another Courſe, and I am confident of it. I hope this is the happieſt day I ever ſaw; for I hope* God *is reconciled to me in my Saviour* Jeſus Chriſt, *that hath given me Repentance, and I am confident he will return my Prayer for me.* Then, at his Requeſt, Mr. *Peters* Prayed with him; which being ended, he ſaid theſe words; *Gentlemen, I do from my Heart forgive you, and all the World, deſiring you and all the World to forgive me alſo; and ſo I Commend my Soul into the hands of my* God.

Mr. *Waller* being a Member of the Houſe of Commons, could not be tryed by the Council of War, whil'ſt he continued ſo; And therefore, on *Tueſday, July* the 4*th*, was brought to the Bar, and had leave given him by the Speaker, to ſay what he could for himſelf, before they proceeded to expel him the Houſe; whereupon he ſpake as follows.

Mr. WALLER's *Speech in the Houſe of Commons, on* Tueſday *the* 4*th of* July, 1643.

Mr. *SPEAKER,*

Mr. *Waller's* Speech in the Houſe, *July* 4. 1643.

I Acknowledge it a great Mercy of GOD, and a great favour from you, that I am once more ſuffered to behold this Honourable Aſſembly; I mean, not to make uſe of it to ſay any thing in my own defence, by Juſtification, or denial of what I have done: I have already confeſſed enough to make me appear worthy, not only to be put out of this Houſe, but out of the World too. All my humble requeſt to you is, That, if I ſeem to you as unworthy to live, as I do to my ſelf, I may have the Honour to receive my Death from your own hands, and not be expoſed to a Tryal by the Counſel of War: Whatever you ſhall think me worthy to ſuffer in a Parliamentary way, is not like to find ſtop any where elſe.

This, Sir, I hope you will be pleaſed for your own ſakes to grant me, who am already ſo miſerable, that nothing can be added to my Calamity, but to be made the occaſion of creating a Preſident to your own diſadvantage; beſides the right I may have to this, conſider, I beſeech you, That the Eyes of the World are upon you; you Govern in chief, and if you ſhould expoſe your own Members to the Puniſhment of others, it will be thought that you either want Power or Leiſure to Chaſtiſe them your ſelves; nor let any Man deſpiſe the ill conſequences of ſuch a Preſident as this will be; becauſe he ſeeth not preſently the inconveniencies which may enſue: You have many Armies on Foot, and it is uncertain how long you may have occaſion to uſe them. Soldiers and Commanders (though I know well they of the Parliaments Army, excel no leſs in Modeſty than they do in Courage) are generally of a Nature ready to pretend to the utmoſt power of this kind, which they conceive to be due to them, and may be too apt, upon any occaſion of diſcontent, to make uſe of ſuch a Preſident as this. In this very Parliament you have not been without ſome taſte of the experience hereof: It is now ſomewhat more than Two years ſince you had an Army in the North, paid and directed by your ſelves; and yet you may be pleaſed to remember, there was a conſiderable number of Officers in that Army, which joined in a Petition or Remonſtrance to this Houſe, taking notice of what ſome of the Members had ſaid, as they ſuppoſed to their diſadvantage, and did little leſs than require them of you; 'tis true, there had been ſome tampering with them; but what has happen'd at one time may wiſely be thought poſſible to fall out again at another.

Sir, I preſume but to point you out the danger, if it be not juſt, I know you will not do me the wrong to expoſe me to this Tryal; If it be juſt, your Army may another time require the ſame Juſtice of you, in their own behalf, againſt ſome other Member, who, perhaps, you would be leſs willing to part with. Neceſſity has of late forced you into untrodden Paths; and in ſuch a caſe

19 *Caroli.*

caſe as this, where you have no Preſident of your own, you may not do amiſs to look abroad upon others, States and Senates, which exerciſe the Supreme Power, as you now do here.

I dare confidently ſay, you ſhall find none, either Ancient or Modern, which ever expoſed any of their own Order to be tryed for his Life, by the Officers of their Armies abroad, for what he did while he Reſided among them in the Senate.

Among the *Romans* the practice was ſo contrary, that ſome Inferior Officers in their Army, far from the City, having been ſentenced by their General or Commander in Chief, as deſerving Death by their Diſcipline of War, have nevertheleſs (becauſe they were Senators) appealed thither, and the Cauſe has received a new hearing in the Senate. Not to uſe more words to perſwade you to take heed that you wound not your ſelf thorough my Sides, in violating the Privileges belonging to your own Perſons: I ſhall humbly deſire you to conſider likewiſe the nature of my Offence (not but that I ſhould be much aſhamed to ſay any thing in diminution thereof: *GOD* knows, 'tis horrid enough for the Evil it might have occaſioned) but if you look near it, it may perhaps appear to be rather a Civil than a Martail Crime, and ſo to have Title to a Tryal at the Common Law of the Land; there may juſtly be ſome difference put between me and others in this buſineſs.

I have had nothing to do with the other Army, or any intention to begin the offer of Violence to any body. It was only a civil pretence to that which I then fooliſhly conceived to be the right of the Subject. I humbly refer it to your Conſiderations, and to your Conſciences. I know you will take care not to ſhed the Blood of War in Peace, that Blood by the Law of War which hath a right to be tryed by the Law of Peace. For ſo much as concerns my ſelf, and my part in this buſineſs, (if I were worthy to have any thing ſpoken or patiently heard in my behalf) this might truly be ſaid, that I made not this buſineſs, but found it; 'twas in other Mens hands long before it was brought to me, and when it came, I extended it not, but reſtrained it. For the Propoſitions of letting in part of the King's Army, or offering violence to the Members of this Houſe, I ever diſallowed, and utterly rejected them.

What it was that moved me to entertain diſcourſe of this buſineſs, ſo far as I did, I will tell you Ingenuouſly, and that rather as a warning for others, than that it makes any thing for my ſelf: it was only impatience of the inconveniencies of the preſent War, looking on things with a Carnal Eye, and not minding that which chiefly (if not only) ought to have been conſidered, the ineſtimable value of the Cauſe you have in hand, the Cauſe of *GOD* and of Religion, and the neceſſities you are forced on for the maintenance of the ſame; as a juſt puniſhment for this neglect, it pleaſed *GOD* to deſert and ſuffer me with a fatal blindneſs, to be led on, and ingaged in ſuch Counſels as were wholly diſproportioned to the reſt of my Life; Theſe, *Sir*, my own Conſcience tells me, were the cauſe of my failing, and not Malice, or any ill habit of Mind, or diſpoſition toward the Common-wealth, or to the Parliament: for from whence ſhould I have it? If you look on my Birth, you will not find it in my Blood,: I am of a Stock which hath born you better Fruit: If you look on my Education, it hath been almoſt from my Childhood in this Houſe, and among the beſt ſort of Men; and for the whole Practice of my Life till this time, if another were to ſpeak for me, he might reaſonably ſay, That neither my Actions out of Parliament, nor my Expreſſions in it, have ſavoured of Diſtruſt, or Malice to the Liberties of the People, or Privileges of Parliament.

Thus, *Sir*, I have ſet before your Eyes, both my Perſon and my Caſe, wherein I ſhall make no ſuch defence by denying or extenuating any thing: I have done, as ordinary Delinquents do, my addreſs to you, and all my Plea ſhall only be ſuch as Children uſe to their Parents, I have offended, I confeſs it; I never did any thing like it before: it is a paſſage unſuitable to the whole courſe of my Life beſide; and for the time to come, as *GOD* that can bring light out of darkneſs, and hath made this buſineſs, in the event, uſeful to you; ſo alſo hath he to me: You have by it, made an happy diſcovery of your Enemies, and *GOD* of my ſelf, and the evil Principles I walk by; ſo that if you look either on what I have been heretofore, or what I now am, and by *GOD*'s Grace aſſiſting me, ſhall always continue to be; you may perhaps think me fit to be an example of your Compaſſion and Clemency.

Sir,

An. 1643.

Sir, I ſhall no ſooner leave you, but my Life will depend on your breath, and not that alone, but the ſubſiſtence of ſome that are more Innocent. I might therefore ſhew you my Children, whom the rigour of your Juſtice would make compleat Orphans, being already Motherleſs. I might ſhew you a Family, wherein there are ſome unworthy to have their ſhare in that mark of Infamy which now threatens us: But ſomething there is, which, if I could ſhew you, would move you more than all this; it is my Heart, which abhors what I have done more, and is more ſevere to it ſelf, than the ſevereſt Judge can be. A Heart (Mr. Speaker) ſo awakened by this Affliction, and ſo intirely devoted to the Cauſe you maintain, that I earneſtly deſire of *GOD* to incline you, ſo to diſpoſe of me, whether for Life or for Death, as may moſt conduce to the advancement thereof.

Sir, Not to trouble you any longer, if I Dye, I ſhall Dye Praying for you; if I Live, I ſhall Live ſerving you, and render you back the uſe and imployment of all thoſe days you ſhall add to my Life.

After this, having withdrawn himſelf, he was called in again, and (being by the Speaker required thereto) gave them an exact Account how he came firſt to the knowledge of this buſineſs, *&c.* However, they proceeded to expel him the Houſe; and ſo being left to the Council of War, he was Condemned to Dye. But had a Reprieve from General *Eſſex*; and after about a Years Impriſonment, paying a Fine of 10000*l.* was diſcharged, and Travelled into *France*. The Earl of *Portland*, and the Lord *Conway* were Tax'd, as being Privy to this Deſign, and for ſome time in Cuſtody; but it not being clearly proved, they were ſoon after diſcharged.

Die Sabbathi 10. *Junii*, 1643.

An Ordinance of the Lords and Commons Aſſembled in Parliament, That all the Temporal Livings, Dignities, and Eccleſiaſtical Promotions, belonging unto *William*, Lord Arch-Biſhop of *Canterbury*, be forthwith Sequeſtered by, and unto the Parliament.

Ordinance to Sequeſter the Eſtate of Arch Biſhop Laud, June 10.

WHereas, by an Ordinance of Parliament, of the 7th of May, 1643. the the Arch-Biſhop of Canterbury is required from time to time, until his Tryal, to Collate ſuch fit Perſons unto any Eccleſiaſtical Preferment in his Patronage, as ſhall by Both Houſes be nominated unto him; and, in purſuance of the ſaid Ordinance, another Ordinance of the Lords and Commons paſt the 20th of the ſame Month, requiring the ſaid Arch-Biſhop to Collate upon Edward Corbet, Fellow of Merton College in Oxford, the Rectory of Chartham in the County of Kent, void by Death of Dr. Bargrave, the laſt Incumbent: And whereas the ſaid Arch-Biſhop of Canterbury refuſeth Obedience to the ſaid Ordinance; It is therefore Ordered, and be it ſo Ordained by the Lords and Commons in Parliament, That all the Temporalties of the Arch-Biſhop of Canterbury be hereby Sequeſtred, by and unto the Parliament, and William Lord Arch-Biſhop of Canterbury be Suſpended, ab Officio & beneficio, & omni, & Omnimoda juriſdictione Archipiſcopali, until he be either Convicted or Acquitted of High-Treaſon, for which he ſtands now Accuſed: And whatſoever Livings, Dignities, or Eccleſiaſtical Promotions, in the ſaid Arch-Biſhops Gift or Collation, are, or hereafter ſhall be void, ſhall henceforth be Inſtituted or Inducted into by the Arch-Biſhops Vicar-General; or any other having Authority in his behalf, upon the Nomination and Recommendation of Both Houſes of Parliament, during the time of the Suſpenſion and Sequeſtration aforeſaid. And upon this Ordinance it is Ordered, and be it ſo Ordained by the Lords and Commons in Parliament, That the ſaid Edward Corbet be, and is hereby nominated and recommended, forthwith, upon ſight hereof, to be admitted, Inſtituted, and Inducted by the Vicar-General aforeſaid, or any other, having Authority in his behalf into the ſaid Rectory of Chartham, Ratione ſuſpentionis Domini Gulielmi Archiepiſcopi Cantuarienſis & Sequeſtrationis temporalium Archiepiſcopatus in manibus Supremæ Curiæ Parliamenti jam exiſten-

exiſtentium, *the ſame belonging unto their Gift. And it is hereby further Ordained by the Lords and Commons in Parliament, that during the Suſpenſion and Sequeſtration aforeſaid, the Juriſdiction of the ſaid Archbiſhop, ſhall be Executed and Exerciſed by his Vicar General, and other his inferiour Judges and Officers as formerly the ſame hath been.*

19 *Caroli.*

C. R.

By the King.

A Proclamation warning all His Majeſties good Subjects no longer to be miſled by the Votes, Orders, and pretended Ordinances, of One, or Both Houſes, by Reaſon the Members do not enjoy the Freedom and Liberty of Parliament. With His Majeſties Gracious Offer of Pardon to the Members of Both Houſes, and of Protection to ſuch of them as ſhall Repair to Him.

Kings Proclamation not to obey Orders of the 2 Houſes, and that the Members injoy not the Freedom and Liberty of Parliament, *June* 20. 1643.

'WHereas We have been long ſince driven by Force and Violence from 'Our Palace at *Weſtminſter*, (the place of Sitting for Us, and Our Two 'Houſes of this Parliament) ſo that We could not with Safety of Our 'Life be preſent with Our Great Council, and much the greater part of the 'Members of both Houſes of Parliament have been likewiſe driven by Tumults 'and Force for their Safety from their Attendance upon that Council, the ſaid 'Members having been Threatned and Aſſaulted for delivering their Opinions 'freely in the Houſes; or have out of Conſcience and Duty withdrawn them-'ſelves from being preſent at the Debates and Reſolutions, which they have well 'known to be ſo contrary to their Duty and Allegiance; or for ſo withdraw-'ing, or for freely Speaking in the Houſes, have been Expelled or Suſpended 'from being Members of that Council, contrary to the ancient Practice, and 'juſt Privileges of Parliament. Since which time, and by which means, a great 'and Rebellious Army hath been raiſed againſt Us, under the Command of '*Robert* Earl of *Eſſex*, which Army hath not only endeavoured to take away 'Our Life from Us in a ſet Battel, but the ſame, and other Forces raiſed by the 'like means, have committed all the Acts of Outrage, Robbery, and Murder, 'upon Our good Subjects throughout the Kingdom, and ſtill continue to do 'the ſame. And though in truth, a very ſmall part of that great Council remain 'there together, yet under pretence of having the Countenance of Our Two 'Houſes of Parliament, ſome Seditious Perſons aſſume to themſelves (with the 'Aſſiſtance of thoſe Rebellious Armies, and of divers mutinous and deſperate '*Browniſts*, *Anabaptiſts*, and other ill-affected Perſons in Our City of *London*, 'by whoſe means they awe ſuch Members of both Houſes who yet continue 'amongſt them) a Power to do Things abſolutely contrary to the Laws of the 'Land, and deſtructive to Our Rights, and to the Liberty and Property of the 'Subject, and to alter the whole Frame and Government of this Kingdom, 'diſpoſing of the Lives and Fortunes of Us, and Our good Subjects, accord-'ing to their Diſcretion, ſubjecting both to their own unlimited Arbi-'trary Power and Government: We have only Accuſed ſome particular Per-'ſons, whom We well know to be the Authors and Contrivers of theſe deſ-'perate Counſels and Actions, and have forborn to cenſure, or charge the 'whole number of the Members remaining, by whoſe Orders and Autho-'rity the Evils have been pretended to be done, We hoping that the Senſe of 'the miſerable Diſtractions of the Kingdom would at length have brought them 'to diſcern where they had Erred, and Our often Meſſages, and Complaints 'of the Violence offered to Us, and to the Members of both Houſes, would 'have procured Juſtice and Redreſs: And that the Power and Reputation of 'ſuch amongſt them, who wiſhed well to the Peace of the Kingdom, and Ho-'nour and Dignity of Parliaments, would have at laſt ſo far prevailed, that a right 'Underſtanding might have been begotten betwixt Us and Our People, and 'all ſhew of Force and Violence ſo taken away and ſuppreſſed, that We might 'in a full and peaceable Convention of Parliament, with the Advice of that Our

An. 1643.

great Council, have ſo ſetled the preſent Diſtempers, that there might be no fear left of the like for the future. But finding to Our great Grief, that the Power of thoſe Seditious Perſons, who firſt contrived theſe deſperate and bloody Diſtractions, continues ſo great, that as they have driven, and now keep Us, and the much greater part of both Houſes, from being preſent at that Council, ſo they ſo far awe thoſe who remain there, that they cannot with freedom give their Votes and Reſolutions according to their Conſciences, and the Laws and Conſtitutions of the Kingdom, that the Members of both Houſes have been compelled to make Proteſtations to Live and Dye with the Earl of *Eſſex*, the General of the Rebellious Army, and other Unlawful and Treaſonable Proteſtations; and that ſuch who have refuſed to take the ſaid Proteſtations, have been Expelled and Impriſoned for ſuch their Refuſal. That the great Affairs of the Kingdom are managed and concluded by a private Committee, without being ever Reported to the Houſes, contrary to the Laws and Rules of Parliament. That the Common-Council of *London*, moſt of them being Perſons Factiouſly choſen out of *Brownists*, *Anabaptiſts*, and ſuch who oppoſe the regular wholeſome Government of that City, and have promiſed themſelves the Deſtruction of the Church, are grown the Superintendents over both Houſes, and obtrude upon them what Concluſions and Reſolutions they pleaſe. That they take upon them to juſtifie this Rebellion againſt Us; And have preſumed under pretence of the Order of both Houſes, to invite Foreign Forces to Invade this Kingdom. To ſend Agents to Foreign Princes to Negotiate and Treat with them in their own Names. To Impriſon Our good Subjects contrary to Law, prohibiting Our Judges to grant *Habeas Corpus* according to Law. To introduce a new Clergy throughout the Kingdom, by diſplacing Godly Learned Divines, without the leaſt colour of Law, or judicial Proceedings, and putting Ignorant and Seditious Preachers in their Places, to Poiſon the Hearts of the People. To Countenance the vilifying of the Book of Common-Prayer Eſtabliſhed by the Law of the Land. To ſeize, leavy, and take away what they pleaſe of the Eſtates and Fortunes of Our Subjects, by diſpoſing of the Twentieth part of their Eſtates, by exhauſting them with unſupportable Weekly Taxes for the maintenance of their Rebellious Army; And by endeavouring to lay odious Exciſes upon Victuals, Goods and Merchandiſe of Our People for the ſame purpoſe, while they ſuffer Our poor Proteſtant Subjects of Our Kingdom of *Ireland*, whoſe Defence was undertaken by Our two Houſes, and that Army raiſed for the ſuppreſſing of that horrid Rebellion, to be Starved, and in danger of Disbanding, or neceſſitated to deſert that Kingdom for want of Money, Victual, and ſuch other Neceſſaries as were to be provided for them by Act of Parliament, out of thoſe Monies which they have ſpent to deſtroy Us and this Kingdom, by exacting from Merchants Tunnage and Poundage, and other Impoſitions upon Merchandiſes, as well Native as Foreign, contrary to an Act made this preſent Parliament, with a penalty of *Premunire* on thoſe who ſhall pay or receive it. And laſtly, That they have (after the breaking of the late Treaty, by a peremptory recalling the Committee, who in truth, during their abode with Us, had no Power to Treat by reaſon of their ſtrict Limitation) ſo far rejected all poſſible Means and Overtures of Treaty and Accommodation, that inſtead of Anſwering Our Gracious Meſſages, the Houſe of Commons hath Impriſoned Our Meſſenger ſent by Us to them, to invite both Houſes to an Accommodation, and eſpecially to move them to take ſuch a courſe for the freedom of Parliament, that we might ſafely Adviſe with that Our great Council for the ſetling thoſe miſerable Diſtractions and Diſtempers. And hath Maliciouſly, and in Contempt of Us, (and after an attempt to Murder Her at *Burlington* Rode, the place of Her landing) Impeached Our Royal Conſort of High Treaſon, for aſſiſting Us with Arms and Ammunition to defend Us from this Rebellion. 'Tis time now to let Our good Subjects know, that they may no longer look upon the Votes and Actions of the Perſons now remaining, as upon Our two Houſes of Parliament, Freedom and Liberty to be preſent, and of Opinion and Debate there, being eſſential to a Parliament: which Freedom and Liberty, all Men muſt confeſs to be taken away from this Aſſembly, when they remember the great Tumults brought down to awe and terrifie both Houſes, and that they were then brought down when any great Debate was in either Houſe, and not like to be ſo carried as ſome Seditious Perſons who governed thoſe Tumults did deſire;

19 *Caroli.*

'deſire; that in the greateſt heat and fury of thoſe Tumults, the principal Go-
'vernors amongſt them directed the unruly People to go to *Whitehall*, where
'Our own Perſon then was, and deſigned by force to have ſurpriſed the
'Perſon of Our Son the Prince; that when it was deſired, that a Decla-
'ration might be made againſt ſuch Tumults, inſtead of conſenting there-
'unto, the Tumults themſelves were juſtified; And when a legal Courſe
'was preſcribed by the Lords, and taken by the proper Miniſters of Juſtice
'to ſuppreſs and prevent ſuch Tumults, and Riots, that legal Courſe was
'Superſeded by thoſe who were then preſent of the Houſe of Commons, and
'the Miniſters of Juſtice Puniſhed and Impriſoned for Executing the Law,
'when they remember that ſeveral Members of either Houſe have been threat-
'ned and aſſaulted in thoſe Tumults, and their own Names proſcribed as Per-
'ſons diſaffected, becauſe they freely uſed to ſpeak their Conſciences in both
'Houſes. That the Houſe of Peers have been ſo far Threatned and Mena-
'ced, that the Names of thoſe have been with Threats demanded by the
'Houſe of Commons at the Bar of the Lords Houſe, who refuſed to con-
'ſent to this or that Propoſition which had been in Debate before them:
'And tumultuous Petitions Countenanced, which have been preſented to that
'ſame purpoſe. That the Members of both Houſes have been Impriſoned,
'and forbid to be preſent at thoſe Councils, for no Reaſons but becauſe their
'Opinion hath not been liked. That Our Negative Voice (Our greateſt and
'moſt Sovereign Privilege) is boldly denied. That a preſumptuous attempt
'hath been made by the major part of the remaining part of the Houſe
'of Commons to make Our Great Seal of *England*, the making of which by
'the expreſs Letter of the Law, is High Treaſon, and would ſubvert the
'ancient and fundamental Adminiſtration of Juſtice. That at this time, We
'and the major part of both Houſes are kept by a ſtrong and Rebellious Army
'from being preſent at that Council, and that thoſe who are preſent, are
'by the ſame Army awed and forced to take Unlawful and Treaſonable
'Proteſtations to engage their Votes. And that ſuch Reſolutions and Direc-
'ons which concern the Property and Liberty of the Subjects are Tran-
'ſacted and Concluded by a few Perſons, (under the Name of a cloſe Com-
'mittee, conſiſting of the Earl of *Mancheſter*, the Lord *Say*, Mr. *Pym*,
'Mr. *Hampden*, Mr. *Strood*, Mr. *Martyn*, and others, the whole number not
'exceeding the number of ſeventeen Perſons) without Reporting the ſame to the
'Houſes, or having the ſame confirmed by the Houſes, contrary to the expreſs
'Law and Cuſtoms of Parliament. All which for the matter of fact, We are
'ready to make Proof of, and deſire nothing but to bring the Contrivers of
'all the aforeſaid Miſchiefs to their Trial by Law, and till that be ſubmitted
'to, We muſt purſue them by Arms or any other way, in which Our good
'Subjects ought to give Us Aſſiſtance to that purpoſe. The imagining the Death
'of Us, Our Royal Conſort, or Our Eldeſt Son, the leavying War againſt
'Us in Our Realm, giving to them Aid of Comfort, the Counterfeiting Our
'Great Seal or Money, being by the expreſs Words of the Statute of the 25
'year of King *Edward* III. *cap.* 2. High Treaſon, and how applicable this is to
'thoſe who have born Arms againſt Us, and to thoſe who have conſented
'that ſuch Arms be born, to thoſe who have promiſed to Live and Die with
'the Earl of *Eſſex*, and to thoſe who every day conſent to ſome Act for the
'ſupport and increaſe of that Army, We ſhall leave to all the World to
'judge, and hope that this Gracious Warning and Information now given by
'Us, will make that Impreſſion in the Hearts of Our People, that they will
'no longer ſuffer themſelves to be miſled from their Duty and Allegiance up-
'on any Pretences whatſoever: And We do declare, That we ſhall proceed
'with all Severity againſt all Perſons whatſoever, who ſhall henceforward,
'Inſiſt, Vote, or Incur in any kind toward the Maintenance and Counte-
'nancing ſuch Actions and Reſolutions, which by the known and expreſs
'Laws of the Land, are High Treaſon, and againſt all thoſe who ſhall ad-
'here to them, who are in Rebellion againſt Us, as againſt Rebels and Trai-
'tors, in ſuch manner as by the Laws and Statutes of the Realm is directed and
'appointed: And ſince by the Power of Seditious Perſons, We and both
'Houſes are kept from being ſecured againſt Tumultuous Aſſemblies, and
'both Houſes from Adjournment to ſame place of Safety, which being done,
'might quickly make an end of theſe miſerable Diſtractions, whereby We

An. 1643.

'are debarred from the Benefit and Advice We expect from that Our great 'Council, the Members thereof being ſcattered into ſeveral places: Therefore 'that the whole Kingdom may ſee that we are willing to receive Advice from 'thoſe who are truſted by them, though we cannot receive the ſame in the 'place to which they were called, for the Reaſons aforeſaid, *nor intend to re-* 'ceive *Advice from them elſewhere in the Capacity of Houſes of Parliament:* 'We do hereby declare, That ſuch of the Members of both Houſes, as well 'thoſe who have been by the Faction of the Malignant Party expelled for per- 'forming their Duties to Us, and into whoſe rooms no Perſons have been ſince 'choſen by their Countries, as the reſt who ſhall deſire Our Protection, ſhall 'be welcome to Us at Our City of *Oxford*, until by the Adjournment of the 'Houſes to ſome fit and free place, or otherwiſe, due Courſe be taken for the 'full and free Convention in Parliament of Us, and all the Members of both 'Houſes. And for their better Encouragement to reſort to Us, We do hereby 'will and command all the Officers and Soldiers of Our Army to ſuffer all ſuch 'Perſons who are Members of either Houſe, with their Attendants and Ser- 'vants, to come to Us to this Our City of *Oxford*: And that none of Our good 'Subjects may believe that by this Our neceſſary Declaration againſt the Free- 'dom and Liberty of that preſent Aſſembly, We may have the leaſt Intention 'to violate or to avoid any Act or Acts paſſed by Us for the good and bene- 'fit of Our People this Parliament: We do hereby declare to all the World, 'That We ſhall, as We have often promiſed, as inviolably obſerve all thoſe Acts, 'as if no ſuch unhappy Interruption had happened of the Freedom and Liberty 'in that Council: And deſire nothing more than to have ſuch a free Conven- 'tion in Parliament, that We may add ſuch further Acts of Grace as ſhall be 'thought neceſſary for the Advancement of the true Proteſtant Religion, for 'the Maintenance of the Liberty and Property of the Subjects, and the Pre- 'ſervation of the Liberty, Freedom and Priviledges of Parliament. And that 'all the World may ſee how willing and deſirous We are to forget all the In- 'juries and Indignities offered to Us by ſuch who have been miſled through 'weakneſs or fear, or who have not been the principal Contrivers of the pre- 'ſent Miſeries: We do offer a free and general Pardon to all the Members of 'either Houſe (except *Robert* Earl of *Eſſex*, *Robert* Earl of *Warwick*, *Edward* 'Earl of *Mancheſter*, *Hen.* Earl of *Stamford*, *William* Viſ. *Say* and *Seal*, Sir *John* '*Hotham* Knight and Baronet, Sir *Arthur Haſlerig* Baronet, Sir *Henry Ludlow*, 'Sir *Edward Hungerford*, Sir *Francis Popham* Knights, *Nathaniel Fines*, *John* '*Hampden*, *John Pym*, *William Strood*, *Henry Martyn*, and *Alexander Popham* Eſ- 'quires, *Iſaac Pennington* Alderman of *London*, and Captain *Ven*, who being the 'principal Authors of theſe preſent Calamities, have ſacrificed the Peace and 'Proſperity of their Country to their own Pride, Malice and Ambition; And 'againſt whom We ſhall proceed as againſt Perſons guilty of High Treaſon by 'the known Laws of the Land, and ſhall in the Proceeding be moſt careful to 'preſerve to them all Priviledges in the fulleſt manner that by the Law or the 'uſage of former times is due to them,) If they ſhall within ten days after the 'Publiſhing of this Our Proclamation return to their Duty and Allegiance to 'Us. And laſtly, We further injoyn and command all Our Subjects upon their 'Allegiance to Us, as they will anſwer the contrary to Almighty God, and as 'they deſire that they and their Poſterity ſhould be freed from the foul Taint 'of High Treaſon, and as they tender the Peace of this Kingdom, That they 'preſume not to give any Aſſiſtance to the before-mentioned Rebellious Ar- 'mies, in their Perſons or Eſtates in any ſort whatſoever, but joyn with Us 'according to their Duty and the Laws of the Land to ſuppreſs this horrid Re- 'bellion. And Our Pleaſure and Command is, That this Our Proclamation 'be read in all Churches and Chapels within this Our Kingdom.

Given at Our Court at Oxford, *the 20th day of* June, *in the Nineteenth Year of Our Reign.*

God Save the King.

Die

19 Carol.

Die Mercurii, 14 *Junii*. 1643.

An Order for the Regulating of Printing.

WHereas divers good Orders have been lately made by Both Houſes of Parliament, for ſuppreſſing the late great abuſes and frequent diſorders in Printing many falſe, forged, ſcandalous, ſeditious, libellous, and unlicenſed Papers, Pamphlets, and Books, to the great defamation of Religion and Government: Which Orders (notwithſtanding the diligence of the Company of Stationers, to put them in full execution) have taken little or no effect, by reaſon the Bill in preparation, for redreſs of the ſaid Diſorders, hath hitherto been retarded through the preſent Diſtractions, and very many, as well Stationers and Printers, as others of ſundry other Profeſſions, not free of the Stationers Company, have taken upon them to ſet up ſundry private Printing-Preſſes in Corners, and to Print, Vend, Publiſh, and Diſperſe Books, Pamphlets, and Papers, in ſuch multitudes, that no induſtry could be ſufficient to diſcover or bring to Puniſhment, all the ſeveral abounding Delinquents: And by reaſon that divers of the Stationers Company, and others being Delinquents (contrary to former Orders, and the conſtant Cuſtom uſed among the ſaid Company) have taken liberty to Print, Vend, and Publiſh the moſt profitable vendible Copies of Books, belonging to the Company, and other Stationers, eſpecially of ſuch Agents as are imployed in putting the ſaid Orders in Execution, and that by way of Revenge, for giving Information againſt them to the Houſes, for their Delinquences in Printing, to the great prejudice of the ſaid Company of Stationers and Agents, and to their diſcouragement in this Publick Service.

It is therefore Ordered, by the Lords and Commons in Parliament, That no Order or Declaration of Both, or either Houſe of Parliament, ſhall be Printed by any, but by Order of One or Both the ſaid Houſes, nor other Book, Pamphlet, Paper, nor part of any ſuch Book, Pamphlet, or Paper, ſhall from henceforth be Printed, Bound, Stitched, or put to Sale by any Perſon or Perſons whatſoever, unleſs the ſame be firſt approved of, and Licenſed under the hands of ſuch Perſon or Perſons, as Both, or either of the ſaid Houſes ſhall appoint for the Licenſing of the ſame, and Entred in the Regiſter Book of the Company of Stationers, according to Ancient Cuſtom, and the Printer thereof to put his Name thereto. And that no Perſon or Perſons ſhall hereafter Print, or cauſe to be Reprinted, any Book or Books, or part of Book, or Books heretofore allowed of, and granted to the ſaid Company of Stationers for their Relief and Maintenance of their Poor, without the licenſe or conſent of the Maſter, Wardens, and Aſſiſtants of the ſaid Company: Nor any Book or Books lawfully Licenſed and Entred in the Regiſter of the ſaid Company, for any particular Member thereof, without the licenſe and conſent of the Owner or Owners thereof. Nor yet import any ſuch Book or Books, or part of Book or Books formerly Printed here, from beyond the Seas, upon pain of forfeiting the ſame to the Owner, or Owners of the Copies of the ſaid Books, and ſuch further Puniſhment as ſhall be thought fit.

And the Maſter and Wardens of the ſaid Company, the Gentleman Uſher of the Houſe of Peers, the Serjeant of the Commons Houſe, and their Deputies, together with the Perſons formerly appointed by the Committee of the Houſe of Commons for Examinations, are hereby Authorized and Required, from time to time, to make diligent ſearch in all places, where they ſhall think meet, for all unlicenſed Printing Preſſes, and all Preſſes any way imployed in the Printing of ſcandalous or unlicenſed Papers, Pamphlets, Books, or any Copies of Books belonging to the ſaid Company, or any Member thereof, without their Approbation and Conſents, and to ſeize and carry away ſuch Printing Preſſes, Letters, together with the Nut, Spindle, and other Materials of every ſuch Irregular Printer, which they find ſo miſimployed, unto the Common-Hall of the ſaid Company, there to be defaced, and made unſerviceable, according to the ancient Cuſtom: and likewiſe to make diligent ſearch in all ſuſpected Printing-Houſes, Ware-Houſes, Shops, and other places for ſuch ſcandalous and unlicenſed Books, Papers, Pamphlets, and all other Books, not Entred, nor Signed with the Printer's Name, as aforeſaid, being Printed or Reprinted by ſuch as have no lawful Intereſt in them, or any way contrary to this Order, and the ſame to ſeize and carry away to the ſaid Common-Hall, there to remain till Both or either Houſe of Parliament ſhall diſpoſe thereof; And likewiſe to Apprehend all Authors, Printers, and other perſons whatſoever imployed in Compiling, Printing, Stitching, Binding, Publiſhing and diſperſing of the ſaid ſcandalous, unlicenſed, and unwarrantable Papers, Books and Pamphlets as aforeſaid; and all thoſe who ſhall reſiſt the ſaid Parties in ſearching after them, and to bring them

An. 1643.

them afore either of the Houſes, or the Committee of Examinations, that ſo they may receive ſuch further Puniſhments as their Offences ſhall demerit, and not to be releaſed until they have given ſatisfaction to the Parties imployed in their Apprehenſion for their Pains and Charges, and given ſufficient Caution not to offend in like ſort for the future. And all Juſtices of the Peace, Captains, Conſtables, and other Officers, are hereby ordered and required to be aiding and aſſiſting to the foreſaid Perſons in the due execution of all and ſingular the Premiſes, and in the apprehenſion of all Offenders againſt the ſame. And in caſe of Oppoſition, to break open Doors and Locks.

And it is further Ordered, That this Order be forthwith Printed and Publiſhed, to the end that notice may be taken thereof, and all Contemners of it left inexcuſable.

The Licenſers appointed according to this Ordinance.

The Names of the Licenſers for Printing Books of Divinity.

Mr. *Thomas Gataker.*
Mr. *John Downham.*
Mr. *Callibut Downing.*
Dr. *Thomas Temple.*
Mr. *Joſ. Caryl.*
Mr. *Edmund Calamy.*
Mr. *Carter* of *York-ſhire.*
Mr. *Ch. Herle.*
Mr. *James Cranford.*
Mr. *Obadiah Sedgwick.*
Mr. *Batchelor*, and
Mr. *John Ellis, Junior.*

For Law Books.

Sir *John Brampſton.*
Mr. Serjeant *Rolls.*
Mr. Serjeant *Pheſant.*
Mr. Serjeant *Jermine.*

For Books of Phyſick and Chyrurgery.

The Preſident and Four Cenſors of the College of Phyſitians for the time being.

For Civil and Canon-Law Books.

Sir *Nathaniel Brent*, or any Three Doctors of the Civil Law.

For Books of *Heraldry*, Titles of *Honour*, and *Arms*.

One of the Three Heralds Kings at Arms.

For Books of *Philoſophy*, *Hiſtory*, *Poetry*, *Morality*, and *Arts*.

Sir *Nathaniel Brent*.
Mr. *Farnaby*,
Mr. *Langley*, the School-Maſters of *Paul*'s.

For *Declarations*, *Ordinances*, *Faſt-Sermons*, and other things agreed on by Order of One or Both Houſes.

To be done by Order of either Houſe, or the Committee for Printing.

For ſmall *Pamphlets*, *Portraictures*, *Pictures*, and the like.

The Clerk of the Company of Stationers for the time being.

For the *Mathematicks*, *Almanacks*, and *Prognoſtications*.

The Reader for the time being of *Greſham*-College, or Mr. *John Booker*.

Die

19 *Caroli.*

Die Lunæ 12. *Junii*, 1643.

An Ordinance of the Lords and Commons in Parliament, for the calling of an Aſſembly of Learned and Godly Divines, and others, to be conſulted with by the Parliament, for the ſettling of the Government and Liturgy of the Church of *England*, and for vindicating and clearing of the Doctrine of the ſaid Church from falſe Aſperſions and Interpretations.

June 12. 1643.

WHereas *amongſt the infinite Bleſſings of Almighty* GOD *upon this Nation, none is, or can be more dear unto us, than the purity of our Religion; and for that as yet many things remain in the Liturgy, Diſcipline and Government of the Church, which do neceſſarily require a further and more perfect Reformation, than as yet hath been attained: And whereas it hath been declared and reſolved by the Lords and Commons aſſembled in Parliament, That the preſent Church-Government by Arch-Biſhops, Biſhops, their Chancellors, Commiſſaries, Deans, Deans and Chapters, Arch-Deacons, and other Eccleſiaſtical Officers, depending upon the Hierarchy, is evil and juſtly offenſive and burthenſom to the Kingdom, a great impediment to reformation and growth of Religion, and very prejudicial to the ſtate and government of this Kingdom; and that therefore they are reſolved that the ſame ſhall be taken away, and that ſuch a Government ſhall be ſettled in the Church, as may be moſt agreeable to* GOD's *Holy Word, and moſt apt to procure and preſerve the peace of the Church at home, and nearer agreement with the Church of* Scotland, *and other Reformed Churches abroad; and for the better effecting hereof, and for the vindicating and clearing of the Doctrine of the Church of* England, *from all falſe Calumnies and Aſperſions, it is thought fit and neceſſary to call an Aſſembly of Learned, Godly, and Judicious Divines, to conſult and adviſe of ſuch matters and things, touching the Premiſſes, as ſhall be propoſed unto them by Both, or either of the Houſes of Parliament, and to give their Advice and Counſel therein, to Both, or either of the ſaid Houſes, when, and as often as they ſhall be thereunto required. Be it therefore Ordained by the Lords and Commons in this preſent Parliament Aſſembled, That all and every the Perſons hereafter in this preſent Ordinance named, that is to ſay,* Algernon *Earl of* Northumberland, William *Earl of* Bedford, Philip *Earl of* Pembroke *and* Montgomery, William *Earl of* Salisbury, Henry *Earl of* Holland, Edward *Earl of* Mancheſter, William *Lord Viſcount* Say *and* Seal, Edward *Lord Viſcount* Conway, Philip *Lord* Wharton, Edward *Lord* Howard *of* Eſcr. John Selden, *Eſq*, Francis Rows, *Eſq*; Edmund Prideaux, *Eſq*; *Sir* Henry Vane, *Knight, ſenior*, John Glyn, *Eſq*; *Recorder of* London, John White, *Eſq*; Boulſtrode Whitlocke, *Eſq*; Humphry Salloway, *Eſq*; *Mr. Serjeant* Wild, Oliver Saint John, *Eſq*; *His Majeſty's Solicitor*, *Sir* Benjamin Rudyard, *Knight*, John Pym, *Eſq*; *Sir* John Clotworthy, *Knight*, John Maynard, *Eſq*; *Sir* Henry Vane, *Knight, junior*, William Pierpoint, *Eſq*; William Wheeler, *Eſq*; *Sir* Thomas Barrington, *Knight*, *Mr.* Young, *Eſq*; *Sir* John Evelin, *Knight*, Herbert Palmer, *of* Aſhwel, *Batchellor in Divinity*, Oliver Boles *of* Sutton, *Batchellor in Divinity*, Henry Wilkinſon *of* Maddeſden, *Batchellor in Divinity*, Thomas Valentine *of* Chalfont Giles, *Batchelor in Divinity*, *Dr.* William Twiſt *of* Newbury, William Reynor *of* Egham, *Mr.* Hannibal Gammon *of* Maugan, *Mr.* Jaſper Hicks *of* Lawrick, *Dr.* Hoyle, *late of* Dublin *in* Ireland, William Bridges *of* Yarmouth, Thomas Wincop *of* Elleſworth, *Doctor in Divinity*, Thomas Goodwin *of* London, *Batchellor in Divinity*, John Ley *of* Budworth *in* Cheſhire, Thomas Caſe *of* London, John Pyne *of* Bereferrers, *Mr.* Whidden *of* Mooreton, *Dr.* Richard Love *of* Ekington, *Dr.* William Gouge *of* Black-Fryars, London, *Dr.* Ralph Brownerigg *Biſhop of* Exeter, *Dr.* Samuel Ward *Maſter of* Sidney-*College*, John White *of* Dorcheſter, Edward Peale *of* Compton, Stephen Marſhal *of* Finchingfield, *Batchellor in Divinity*, Obadiah Sedgewicke *of* Cogſhall, *Batchellor in Divinity*, *M.* Carter, Peter Clerke *of* Carnaby, William New *of* Eſtington, *Batchellor in Divinity*, Richard Capel *of* Pitchcombe, Theophilus Bathurſt *of* Overton Watervile, Philip Nye *of* Kimbolton, *Dr.* Brocket Smith *of* Barkway, *Dr.* Cornelius Burges *of* Watford, John Green *of* Pencombe, Stanley Gower *of* Brampton Bryan, Francis Taylor *of* Yalding, Thomas Wilſon *of* Otham, Anthony Tuckney

An. 1643. Tuckney *of* Boſton, Thomas Coleman *of* Bliton, Charles Herle *of* Winwick, Richard Herrick *of* Mancheſter, Richard Cleyton *of* Showel, George Gibbs *of* Ayleſton; *Dr.* Calibute Downing *of* Hackney, Jeremy Boroughes *of* Stepney, Edmund Calamy *Batchellor in Divinity*, George Walker *Batchellor in Divinity*, Joſeph Carroll *of* Lincolns-Inn, Lazarus Seaman *of* London, *Dr.* John Harris, *Warden of* Wincheſter-*College*, George Morley *of* Mildenhall, Edward Reynolds *of* Branſton, Thomas Hill *of* Titchmarch, *Batchellor in Divinity*, *Dr.* Robert Saunderſon *of* Boothby Pannel, John Foxcroft *of* Gotham, John Jackſon *of* Marſae, William Carter *of* London, Thomas Thoroughgood *of* Maſſingham, John Arrowſmith *of* Lynn, Robert Harris *of* Hanwell, *Batchellor in Divinity*, Robert Croſs *of* Lincoln-*College*, *Batchellor in Divinity*, James *Arch-Biſhop of* Armagh, *Dr.* Matthias Styles *of St.* George Eaſtcheap, London, Samuel Gibſon *of* Burley, Jeremiah Whittacre *of* Stretton, *Dr.* Edmund Stanton *of* Kingſton, *Dr.* Daniel Featley *of* Lambeth, Francis Coke *of* Yoxhall, John Lightfoot *of* Aſhley, Edward Corbet *of* Merton-*College*, Oxon, Samuel Helderſham *of* Felton, John Langley *of* Weſtenderſley, Chriſtopher Tiſdale *of* Uphusborn, Thomas Young *of* Stowmarket, John Phillips *of* Wrentham, Humphry Chambers *of* Claverton, *Batchellor in Divinity*, John Conant *of* Lymington, *Batchellor in Divinity*, Henry Hall *of* Norwich, *Batchellor in Divinity*, Henry Hutton, Henry Scuddir *of* Colingborne, Thomas Baylie *of* Manningford Bruce, Benjamin Pickering *of* Eaſthoateley, Henry Nye *of* Clapham, Arthur Sallaway *of* Seavernſtoake, Sydrake Sympſon *of* London, Anthony Burgeſſe *of* Sutton Coldfield, Richard Vines *of* Calcot, William Greenhill *of* Stepney, William Moreton *of* Newcaſtle, Richard Buckley, *Dr.* Thomas Temple *of* Batterſey, Joſias Shute *in* Lombard-*ſtreet*, *Batchellor in Divinity*, *Mr.* Nicholſon, Thomas Gattaker *of* Rotherhithe, *Batchellor in Divinity*, James Weldy *of* Sylatten, *Dr.* Chriſtopher Paſhley *of* Hawarden, Henry Tozer *Batchellor in Divinity*, William Spurſtow *of* Hampden *in* Bucks, Francis Channel *of* Oxon, Edward Ellis *of* Gilsfield, *Batchellor in Divinity*, *Dr.* John Hacket *of St.* Andrews Holborn, Samuel de la Place, John de la March, Matthew Newcomen *of* Dedham, William Lyford *of* Sherborne *in* Com. Dorſet, *Mr.* Carter *of* Dynton *in* Com. Bucks, William Lance *of* Harrow *in* Middleſex, Thomas Hodges *of* Kenſington *in* Com. Middleſex, Andreas Perne *of* Wilby *in* Com. Northampton, *Dr.* Thomas Weſtfield *of St.* Bartholomew le Great, London, *Biſhop of* Briſtol, *Dr.* Henry Hammon *of* Penſhurſt *in* Kent, Nicholas Prophet *of* Marlborough *in* Com. Wilts, Peter Sterry *of* London, John Erle *of* Biſhopſton *in* Com. Wilts, *Mr.* Gibbon *of* Waltham, Henry Painter *of* Exeter, *Batchellor in Divinity*, *Mr.* Michelthwaite *of* Cheryburton, *Dr.* Wincop *of St.* Martins in the Fields, *Mr.* Price *of* Paul's *Church in* Covent-garden, Henry Wilkinſon, *Batchellor in Divinity*, *Dr.* Richard Oldſworth *Maſter of* Emanuel-*College in* Cambridge, *Mr.* William Duning *of* Coldaſton, *and ſuch other Perſon and Perſons as ſhall be nominated and appointed by Both Houſes of Parliament, or ſo many of them as ſhall not be letted by Sickneſs, or other neceſſary impediment, ſhall meet and aſſemble, and are hereby required and enjoyned upon Summons Signed by the Clerks of Both Houſes of Parliament, left at their ſeveral reſpective Dwellings, to meet and aſſemble themſelves at* Weſtminſter, *in the Chappel called King* Henry VII. *Chappel, on the firſt day of* July, *in the Year of our Lord, One Thouſand Six Hundred Forty Three; and after the firſt Meeting, being at leaſt of the number of Forty, ſhall from time to time Sit, and be removed from place to place; and alſo that the ſaid Aſſembly ſhall be diſſolved in ſuch manner as by Both Houſes of Parliament ſhall be directed: And the ſaid Perſons, or ſo many of them as ſhall be ſo Aſſembled, or Sit, ſhall have Power and Authority, and are hereby likewiſe enjoyned, from time to time, during this preſent Parliament, or until further Order be taken, by Both the ſaid Houſes, to confer and treat amongſt themſelves, of ſuch matters and things, touching and concerning the Liturgy, Diſcipline and Government of the Church of* England, *or the vindicating and clearing of the Doctrine of the ſame from all falſe Aſperſions and miſconſtructions, as ſhall be propoſed unto them by Both or either of the ſaid Houſes of Parliament, and no other, and to deliver their Opinions and Adviſes of, or touching the matters aforeſaid, as ſhall be moſt agreeable to the Word of* GOD, *to Both or either of the ſaid Houſes, from time to time, in ſuch manner and ſort, as by Both or either of the ſaid Houſes of Parliament, ſhall be required, and the ſame not to divulge by Printing, Writing, or otherwiſe without the conſent of Both or either Houſe of Parliament. And be it further Ordained by the Authority aforeſaid, That*

William

19 Caroli.

William Twiſt *Doctor in Divinity ſhall ſit in the Chair as Prolocutor of the ſaid Aſſembly; and if he happen to Die, or be letted by Sickneſs, or other neceſſary impediment, then ſuch other Perſon to be appointed in his place, as ſhall be agreed on by Both the ſaid Houſes of Parliament: And in caſe any difference of Opinion ſhall happen amongſt the ſaid Perſons ſo Aſſembled, touching any the matters, that ſhall be propoſed to them as aforeſaid, that then they ſhall repreſent the ſame, together with the reaſons thereof to Both or either the ſaid Houſes reſpectively, to the end ſuch further direction may be given therein, as ſhall be requiſite in that behalf. And be it further Ordained by the Authority aforeſaid, That for the Charges and Expences of the ſaid Divines, and every of them, in attending the ſaid Service, there ſhall be allowed unto every of them that ſhall ſo attend, during the time of their ſaid Attendance, and for Ten days before and Ten days after, the Sum of Four Shillings for every day, at the Charges of the Common-wealth, at ſuch time, and in ſuch manner as by Both Houſes of Parliament ſhall be appointed. And be it further Ordained, That all and every the ſaid Divines, ſo as aforeſaid required and enjoyned to meet and Aſſemble, ſhall be freed and acquitted of, and from every Offence, Forfeiture, Penalty, Loſs or Damage which ſhall or may ariſe or grow, by reaſon of any Non-reſidence or abſence of them, or any of them, from his or their, or any of their Church, Churches, or Cures, for, or in reſpect of their ſaid attendance upon the ſaid Service; any Law or Statute of Non-reſidence, or other Law or Statute enjoyning their attendance upon their reſpective Miniſteries or Charges to the contrary thereof notwithſtanding: And if any of the Perſons before-named ſhall happen to die before the ſaid Aſſembly ſhall be diſſolved by Order of both Houſes of Parliament, then ſuch other Perſon or Perſons ſhall be nominated and placed in the room and ſtead of ſuch Perſon and Perſons ſo dying, as by both the ſaid Houſes ſhall be thought fit and agreed upon: And every ſuch Perſon or Perſons ſo to be named ſhall have the like Power and Authority, Freedom, and Acquittal to all intents and purpoſes, and alſo all ſuch Wages and Allowances for the ſaid Service, during the time of his or their Attendance, as to any other of the ſaid Perſons in this Ordinance named is by this Ordinance limited and appointed. Provided always that this Ordinance or any thing therein contained, ſhall not give unto the Perſons aforeſaid, or any of them, nor ſhall they in this Aſſembly aſſume to exerciſe any Juriſdiction, Power, or Authority Eccleſiaſtical whatſoever, or any other Power, than is herein particularly expreſſed.*

Saturday July 1. 1643. The Aſſembly of Divines firſt meeting.

This day was the firſt Meeting of the Aſſembly of Divines, at King *Henry* the Seventh's Chapel in the Abby of *Weſtminſter*; where a Sermon was Preached unto them by Dr. *Twiſt*, their *Prolocutor*, both Houſes of Parliament being preſent. After which they aſſembled in the ſaid Chapel, read the Ordinance [before recited] for their Convention, called over the Liſt of the Clergy appointed for that Aſſembly, 69 then appearing; and the Names of ſuch as appeared not, were markt, and ſo they Adjourned till Monday, and on Friday following kept a Faſt with both Houſes.

Votes of the Commons, touching a new Great Seal, *July* 4.

Reſolved, &c.

1. That the Great Seal of *England* ought to attend the Parliament.
2. That the Abſence thereof hath been a Cauſe of great Miſchief to the Commonwealth.
3. That a Remedy ought to be provided for theſe Miſchiefs.
4. That the proper Remedy is, by making a new Great Seal.

The Miſchiefs occaſioned by conveying away of the Great Seal, and through the want thereof, repreſented to the Lords at a Conference by Serjeant *Wild*, on Tueſday *Oct.* 10. 1643.

The Lords ſtuck at this Buſineſs of making a new Great Seal; but at laſt a Conference being appointed about it, the Commons preſented them the following Reaſons for the ſame.

I. It was ſecretly and unlawfully carried away by the Lord Keeper, contrary to the Duty of his Place; who ought himſelf to have attended the Parliament, and not to have departed without Leave: Nor ſhould have been ſuffered to Convey away the Great Seal, if his Intentions had been diſcovered.

An. 1643.

II. It hath been ſince taken away from him, and put into the hands of other dangerous and ill-affected Perſons; ſo as the Lord Keeper being ſent unto by the Parliament, for the Sealing of ſome Writs, returned Anſwer, *That he could not Seal the ſame, becauſe he had not the Seal in his keeping.*

III. That thoſe who have had the managing thereof, have employed it to the Hurt and Deſtruction of the Kingdom ſundry ways; As by making new Sheriffs, in an unuſual and unlawful manner, to be as ſo many Generals, or Commanders of Forces raiſed againſt the Parliament: By iſſuing out illegal Commiſſions of Array, with other unlawful Commiſſions to the ſame purpoſe. By ſending forth Proclamations againſt both Houſes of Parliament, and ſeveral Members thereof, Proclaiming them Traitors againſt the Privileges of Parliament and Laws of the Land. By Sealing Commiſſions of *Oyer* and *Terminer*, to proceed againſt them, and other of His Majeſties good Subjects adhering to the Parliament, as Traitors. By ſending Commiſſions into *Ireland*, to make a Peace or Ceſſation with the Rebels there, contrary to an Act of Parliament made this Seſſion. Beſides, divers other dangerous and illegal Acts have been paſſed under the Great Seal, ſince it was thus ſecretly conveyed away from the Parliament; whereby great Calamities and Miſchiefs have enſued to the Kingdom.

And through want of the ſaid Great Seal,

1. The Terms have been Adjourned, the Courſe of Juſtice obſtructed.

2. No Original Writs can be Sued for, without going to *Oxford*; which none that holds with the Parliament can do, without Peril of his Life or Liberty.

3. Proclamations in Parliament cannot iſſue out for bringing in Delinquents Impeached of High Treaſon, or other Crimes, under Pain of Forfeiting their Eſtates, according to the ancient Courſe.

4. No Writs of Error can be brought in Parliament, to Reverſe Erroneous Judgments: Nor Writs of Election iſſued out for chooſing new Members, upon Death or Removal of any: Whereby the number of Members is much leſſened, and the Houſes in time like to be Diſſolved; if ſpeedy Supply be not had, contrary to the very Act for Continuance of this Parliament.

5. Every other Court of Juſtice hath a peculiar Seal; and the Parliament, the ſupremeſt Court, hath no other Seal but the Great Seal of *England*; which being kept away from it, it hath now no Seal at all; and therefore a new Seal ought to be made.

6. This Seal is *Clavis Regni*; and therefore ought to be reſident with the Parliament, (which is the Repreſentative Body of the whole Kingdom) whil'ſt it continues ſitting; the King, as well as the Kingdom, being always legally preſent in it, during its Seſſion.

Hereupon the Lords the next day declared their Aſſent to the making of the new Great Seal; and ſo there paſſed the following Ordinance.

An

19 *Caroli.*

An Ordinance of the Lords and Commons Assembled in Parliament; Touching the Great Seal of *England.*

Nov. 11. 1643.

WHereas the Great Seal of England, *which by the Laws of this Realm ought to attend the Parliament, being the Supreme Court of Justice and Judicature within this Realm, for the dispatch of the great and weighty Affairs of the Commonwealth, which is especially Interessed and Concerned therein, was above a year last past, that is to say, the Two and Twentieth day of* May, Anno 1642. *by the then* Lord-Keeper *thereof,* Edward *Lord* Littleton, *then a Member and Speaker of the House of Peers in Parliament, contrary to the great Trust in him Reposed, and Duty of his place, Secretly and Perfidiously conveyed away from the Parliament into the Kings Army, raised against the Parliament; the said* Lord-Keeper *departing therewith into the said Army, without the Leave or Privity of the said House; By means whereof, great Mischiefs and Inconveniencies have ensued to this Kingdom, and the Kingdom of* Ireland.

And whereas the said Great Seal *ought constantly to remain in the Hands and Custody of one or more Officer or Officers, (Sworn for that Service) and to be used and imployed for the weal and safety of His Majesties People; which notwithstanding hath been divers times sithence the Conveying away thereof as aforesaid, put into the Hands of other Persons not Sworn, and Popishly and Dangerously affected, who have had the disposing and managing thereof at their own Wills and Pleasures, and hath been Traiterously and Perniciously abused, to the Ruine and Destruction of the Parliament and Kingdom, by Granting and Issuing out divers Illegal* Commissions of Array, *and other Unlawful* Commissions *for raising of Forces against the Parliament, by Issuing out of most foul and scandalous Papers, under the Name and Title of Proclamations, against both Houses of Parliament, and divers Members thereof, and others adhering to them, and Proclaiming them Traitors and Rebels; Commissions of* Oyer *and* Terminer, *to proceed against divers of them, as Traitors, and other Commissions to Seize and Confiscate their Estates, for no other Cause, but for doing their Duties and Services to the Common-wealth; as likewise by granting that horrid Commission, for executing of that most Bloody and Detestable design of* Waller, Tompkins, *and others, for the Destruction of the Parliament, and City of* London, *and of the Army raised for their just Defence; and (as if Massacres and Assassinations had been but light and venial Crimes) another Commission hath been Granted under the same Seal for a Cessation of Arms with the barbarous and bloody Rebels in* Ireland, *after the Effusion of so much Innocent Blood, and Slaughter of above One Hundred Thousand Protestants, Men, Women, and Children, by their Mercilesse and Bloody Hands; whereby a Cessation of Arms is accordingly Concluded; and those brutish Rebels thereby imboldned to prepare themselves, not only for a total Extirpation of the Protestants remaining there, but for a Conquest also of this Kingdom: And further, by Granting of several Commissions, and Offices of Trust and Command, to Notorious Papists, who by the Laws and Statutes of this Realm, are made uncapable thereof; and by Conferring of Honours and Dignities, and Granting of Lands and Estates to divers Exorbitant Delinquents, who stand legally Impeached of High Treason, and other high Crimes and Misdemeanours in Parliament.*

All which, and many other Unlawful and Enormous Acts have passed under the said Great Seal, since the removal thereof from the Parliament, as aforesaid: Which the Lords and Commons taking into their Consideration, and finding all ways and means obstructed for the procuring of any Redress from His Majesty in the Premisses, notwithstanding their long Hopes, and unceasing Labours for the obtaining thereof, are bound in Duty, and of Necessity to provide some speedy Remedy for these insupportable Mischiefs.

BE it therefore Declared and Ordained by the said Lords and Commons Assembled in Parliament, that as well all and every the said Acts formerly mentioned, which have passed under the said Great Seal; as also all Letters Patents and Grants of any Lands, Goods or Estates, of any Person or Persons whatsoever, for adhering to the Parliament, all Compositions or Grants, of any Wardships, or Leases of any Wards, Lands, Liveries, *Primer Seizins & Oustes les maines,* since the said 22d of *May,* 1642. which have not according to the due Course of Law, passed through the Court of Wards and Liveries, established by Law: All Grants since the said 22d of *May,* 1642, of any Honours, Dignities, Mannors, Lands, Hereditaments, or other thing whatsoever, to any Person or Persons, which have voluntarily contributed, or shall voluntarily contribute any Aid

An. 1643.

or Aſſiſtance to the maintenance of that unnatural War, raiſed againſt the Parliament; And all Pardons Granted to any ſuch Perſon or Perſons; And all other Acts or Things whatſoever, contrary to, or in Derogation of the Proceedings of both, or either of the Houſes of Parliament, which have paſſed under the ſaid Great Seal, ſince the removal thereof from the Parliament, ſhall be, and are hereby declared to be utterly Invalid, Void, and of none Effect, to all Intents and Purpoſes.

And that all and every Act or Thing, which after the publication of this Ordinance, ſhall paſs by, or under the ſaid Great Seal, or under any Great Seal of *England*, (other than what is hereby appointed and eſtabliſhed) ſhall be utterly Void, Fruſtrate, and of no Effect; and every Perſon or Perſons, which ſhall put the ſame in Uſe, or ſhall claim any thing thereby, ſhall be held and adjudged a publick Enemy of this State.

And be it further Ordained by the ſaid Lords and Commons, that a Great Seal of *England* already by them made and provided, ſhall be forthwith put in Uſe; and ſhall be, and is hereby Authorized and Eſtabliſhed to be of like Force, Power, and Validity, to all Intents and Purpoſes as any Great Seal of *England* hath been, or ought to be.

And that it ſhall be put into the Hands and Cuſtody of the Perſons hereafter Named, who are hereby Ordained Commiſſioners for that purpoſe; that is to ſay, *John* Earl of *Rutland*, and *Oliver* Earl of *Bullingbrooke*, Members of the Houſe of Peers; and *Oliver St. Johns* Eſq; His Majeſties Solicitor-General, *John Wilde* Serjeant at Law, *Samuel Brown* and *Edmund Prideaux* Eſquires, Members of the Houſe of Commons; which ſaid Perſons, or any Three or more of them whereof One Member or more of the Lords Houſe, alſo One Member or more of the Houſe of Commons ſhall be preſent, ſhall have, and are hereby Authorized to have the Keeping, Ordering and Diſpoſing thereof, as alſo all ſuch and the like Power and Authority, as any Lord Chancellor, or Lord-Keeper, or Commiſſioner of the Great Seal, for the time being hath had, uſed, or ought to have.

H. Elſynge, Cler. Parl. D. Com.

But the Earl of *Rutland* alledging himſelf not ſo well Read in the Law as might qualifie him for ſuch a Charge, deſired to be Excuſed; and *Ruthin* Earl of *Kent* was nominated in his room.

The New Seal delivered to the Commiſſioners, *Nov.* 30.

On *Thurſday* the laſt of *November* the new Seal was carried by the Speaker of the Commons, attended with the whole Houſe, to the Lords, and delivered to the Speaker of that Houſe; who in the preſence of both Houſes delivered the ſame to the Commiſſioners, who then took the Oath for the due Execution of their Places: The Speaker of the Peers Swearing the Two Lords; And Mr. *Brown*, the Clerk of the Lords Houſe, the Four Commons; and the Seal was Ordered to remain at the ſaid Mr. *Brown*'s Houſe in an Iron Cheſt, with Three different Locks, and not at any time to be removed thence, but in the preſence of Three of the Commiſſioners.

A Declaration of the Lords and Commons Aſſembled in Parliament.

A Declaration to put off the Aſſizes, *July* 10.

THe Lords and Commons taking into Conſideration the miſerable Diſtractions and Calamities with which this whole Kingdom and Nation is now Infeſted, the Fate and cruel Effects of an Unnatural Civil War, being too viſible and apparent in all the Parts thereof; and the Power of the Sword ſo prevailing, as that the publick Juſtice of the Kingdom cannot be expected to be Adminiſtred in a juſt and indifferent way; but that the Judges and Miniſters thereof may be Terrified and Awed by the Power of Armed Men; And alſo for preventing of Inconveniencies which may happen by Aſſemblies of Multitudes of People, in theſe Times of ſuch miſerable Diſtractions; Have thought fit to Order, and the ſaid Lords and Commons in Parliament Aſſembled, do Ordain and Declare, That the ſeveral Judges and Juſtices of the Aſſize, and Niſi Prius, *and Offi-*

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cers of Oyer *and* Terminer, *and* Gaol Delivery *and their Associates, and the Clerks of Assize, and every of them, of, or within any of the Counties, or Cities of* England, *and Dominion of* Wales, *do forbear to Execute any of the said Commissions, or to hold, or keep any Assizes, or Gaol Delivery, at any time during this Summer Vacation; Or to Issue any Warrant for Summoning the Assizes within any County, in which they shall be appointed Judges and Justices; and if they have already Issued out any, that they forthwith Revoke, and recal the same; And herein their ready and perfect Obedience is Expected and Required, as they will Answer the Contempt and Neglect hereof before the Lords and Commons in Parliament Assembled.* 19 *Caroli.*

Die Lunæ 10 *July*, 1643.

ORdered by the Lords and Commons in Parliament Assembled, That this Declaration shall be forthwith Printed and Published.

J. Brown, Cler. Parliamentorum.

By the King.

A Proclamation prohibiting from henceforth all intercourse of Trade between Our City of *London*, and other Parts of Our Kingdom, until other Direction given by Us.

The King's Proclamation forbidding Trade with *London*, &c. *July* 17. 1643.

WHereas out of Our tender Care to Our City of London, *and in hope to reduce them to their due Obedience to Us, We, by Our Proclamation bearing date at Our Court at* Oxford, *the Eighth day of* December *now last past, did Declare Our Royal Pleasure to be, That there should be no Stop or Interruption to any of Our Loving Subjects, as they should Travel to Our City of* London, *with any Cloaths, Wares, or Merchandize, but that they should freely and peaceably pass, without any Let, Trouble, or Molestation whatsoever; Which Grace and Favour unto them, have in these many Months wrought this contrary Effect, That above all other parts of this Our Kingdom, a prevalent Faction of that City (which over-rules the whole) hath so far joined with, and in, that horrid Rebellion, that it hath Denounced War against the whole Kingdom, by violent opposing all the possible ways to Peace; and so that City formerly Famous for their Loyalty and Love to their Sovereigns, is now become the Head of that Traiterous Faction, and the Receptacle of all such as are Disaffected to Our Government, and the Laws of the Kingdom: And not only willingly Consents and Submits to all Burthens, and Impositions laid upon them for the Support and Maintenance of the Rebellious Armies raised against Us, but Maliciously prosecutes, and pursues all such who are but suspected to wish well to Our Service. And when We Pitying the desperate and deplorable Condition of Our People, were graciously Pleased to desire a Treaty for an Accommodation, and propounded, that whilst that Treaty should continue, there might be a Cessation of Arms, and a free Commerce for all Our Loving Subjects in all parts of Our Kingdom, that so the Benefits of Trade and Commerce being injoyed, Our good People might be more in Love with Peace; Yet this Motion thus proceeding from Us, was nevertheless by Special Incitation from the City of* London, *(which by the grace of our said Proclamation, enjoyed the said Advantages of the whole Kingdom) scornfully neglected by the Enemies of Peace, and all Intercourse interdicted to Our City of* Oxford, *the present Seat of Residence for Our Court and Army; and that Restraint is continued upon all those who are thought to be Serviceable, or but well Affected to Us: We therefore being thereunto enforced out of this Necessity, and finding that the Trade and Commerce of the Kingdom, which ought to be maintained for the publick benefit of all Our good People, is by this means Inverted only for the Advantage of those Places and Persons which cherish this Rebellion; The Goods and Merchandize of such who are thought well-affected to Us, being seized when they are brought to* London, *We have thought it fit and reasonable, to Revoke and Recal that Our former Act of Grace and Favour; And by this Our Proclamation, We do Publish and Declare to all Our Subjects, That whosoever of them, either in their Persons shall from henceforth Travel into the City of* London, *without License from Our Self, or one of Our Principal Secretaries of State, the Generals, or the Lieutenant Generals of our Armies, or the Governours of any of Our Towns, Castles, or Forts, or with their*

Goods,

An. 1643.

Goods, Cattle, Victual, or Merchandize of any ſort whatſoever, ſhall from henceforth Travel unto, or for our ſaid City of London, *or Suburbs thereof, without our expreſs Licenſe for the ſame, under our ſign Manual, ſhall adventure the ſame at their own Perils; We being reſolved, by all poſſible means, to Seize the ſame: And that all thoſe who, from any parts of this our Kingdom, ſhall furniſh or ſerve our ſaid City of* London *or Suburbs thereof, either by Sea or Land, with any Victuals, or other Proviſions, or with any Merchandize to maintain them their Trade, as long as they ſhall obſtinately ſtand out in Rebellion againſt Us, We ſhall eſteem as Perſons diſaffected to Us, and to Our Government, and as Aiders and Aſſiſters to the Rebels, and ſhall accordingly deal with them, and proceed againſt them: And that this Reſtraint ſhall continue upon them, until ſuch times as the Inhabitants of the ſaid City, finding their Errors, ſhall return to their due Obedience unto Us, ſtraitly Commanding all the Officers of Our Armies, and all other Our Officers and Miniſters, and loving Subjects in all Places through which any Perſon, Goods, Cattle, Victual, or Merchandize ſhall paſs, or be conveyed towards the City of* London, *to apprehend the Perſons, and ſeize and detain the Goods, until upon ſpeedy notice to Us, they ſhall receive Our ſpeedy further Directions: We hereby aſſuring them, that they ſhall receive part of ſuch Goods ſo ſeized in ſatisfaction, and for their Reward. But for the continuing of the general Trade and Commerce of the Kingdom, and the Manufactures thereof (which we deſire to uphold and advance) We leave all Our Subjects to Trade freely in, and unto all other Parts, and in, and unto all other Ports or Havens of this Our Kingdom, not being in actual Rebellion againſt Us; and from thoſe Ports to Trade with their Merchandize freely, into any other Parts whereſoever beyond the Seas, being in Amity with Us, without any reſtraint whatſoever.*

Given under Our ſign Manual at Our Court at *Oxford*, this Seventeenth day of *July*, in the Nineteenth Year of Our Reign.

God Save the King.

A Petition of the Divines of the Aſſembly, delivered to Both Houſes of Parliament, July 19. 1643.

To the Right Honourable the Lords and Commons Aſſembled in Parliament.

The Humble Petition of divers Miniſters of *CHRIST*, in the Name of themſelves, and of Sundry others

Humbly Sheweth,

The Aſſemblies Petition, *July* 19.

That your Petitioners upon ſerious Conſideration, and deep ſenſe of GOD's *heavy Wrath lying on us, and hanging over our heads, and the whole Nation, and manifeſted particularly by the Two late, ſad, and unexpected Defeats of our Forces in the* North, *and in the* Weſt, *do apprehend it to be our Duty, as Watchmen for the good of the Church and Kingdom, to preſent to your Religious and Prudent Conſideration, theſe enſuing Requeſts; in the Name of* JESUS CHRIST, *Your Lord and Ours.*

Firſt, That you would be pleaſed to Command a Publick and Extraordinary Day of Humiliation, this Week, throughout the Cities of *London*, *Weſtminſter*, the Suburbs of Both, and places adjacent within the Weekly Bills of Mortality, that every one may bitterly bewail his own Sins, and cry mightily unto GOD, for *CHRIST* his ſake, to remove his Wrath, and to heal the Land, with profeſſed and new reſolutions of more full performance of the late Covenant for the amendment of our Ways.

Secondly,

19 *Caroli.*

Secondly, That you would vouchſafe inſtantly to take it into your more ſerious conſideration, how you may moſt ſpeedily ſet up *CHRIST* more gloriouſly in all his Ordinances within this Kingdom, and reform all things amiſs throughout the Land, wherein *GOD* is more ſpecially and more immediately diſhonoured: Among which we humbly lay before you theſe particulars:

1. That the brutiſh Ignorance, and palpable Darkneſs poſſeſſing the greateſt part of the People in all places of the Kingdom, whereby they are utterly unfit to wait upon *GOD* in any Holy Duty (to the great diſhonour of the Goſpel, and the everlaſting endangering of their poor Souls) may be remedied by a ſpeedy and ſtrict Charge to all Miniſters, conſtantly to Catechize all the Youth and Ignorant People (they being commanded to be ſubject to it) and all ſorts to be preſent at it; and Information to be given of all Perſons who ſhall withſtand or neglect it.

2. That the grievous and heinous pollution of the Lord's-Supper, by thoſe that are groſly Ignorant, and notoriouſly Prophane, may be henceforth, with all Chriſtian Care, and due circumſpection prevented.

3. That the bold venting of corrupt Doctrines, directly contrary to the ſacred Law of *GOD* and Religious Humiliation for Sin, which open a wide door to all Libertiniſm and Diſobedience to *GOD* and Man, may be ſpeedily Suppreſſed every where; and that in ſuch manner as may give hope that the Church may be no more infected with them.

4. That the Prophanation of any part of the Lord's-Day, and the Days of ſolemn Faſting, by Buying, Selling, Working, Sporting, Travelling or neglecting of *GOD*'s Ordinances, may be remedied by appointing ſpecial Officers in every place, for the due execution of all good Laws and Ordinances againſt the ſame.

5. That there may be a through and ſpeedy proceeding againſt blind Guides, and ſcandalous Miniſters, by whoſe Wickedneſs People either lack or loath the Ordinances of the Lord, and Thouſands of Souls Periſh, and the removal of the Ark from among us, is (to the trembling of our Hearts) evidently threatned. And that your Wiſdoms would find out ſome way to admit into the Miniſtry ſuch godly and hopeful Men as have prepared themſelves, and are willing thereunto, without which there will ſuddenly be ſuch a ſcarcity of able and faithful Miniſters that it will be to little purpoſe to caſt out ſuch as are unable, idle, or ſcandalous.

6. That the Laws may be quickened againſt Swearing and Drunkenneſs, with which the Land is filled and defiled, and under which it Mourneth.

7. That ſome ſevere courſe be taken againſt Fornication, Adultery, and Inceſt, which do greatly abound, eſpecially of late, by reaſon of Impunity.

8. That all Monuments of Idolatry and Superſtition, but more eſpecially the whole body and practice of Popery, may be totally aboliſhed.

9. That Juſtice may be executed on all Delinquents, according to your Religious Vow and Proteſtation to that purpoſe.

10. That all poſſible means may be uſed for the ſpeedy Relief and Releaſe of our miſerable and extremely diſtreſſed Brethren, who are Priſoners in *Oxford*, *York*, and elſewhere, whoſe heavy Sufferings cry aloud in the Ears of our *GOD*; and it would lie very heavy upon the Kingdom, ſhould they miſcarry, ſuffering as they do for the cauſe of *GOD*.

That ſo GOD, *who is now by the Sword avenging the Quarrel of his Covenant, beholding your Integrity and Zeal, may turn from the fierceneſs of his Wrath, hear our Prayers, go forth with our Armies, perfect the work of Reformation, forgive our Sins, and ſettle Truth and Peace throughout the Kingdom.*

And your Petitioners ſhall ever Pray, *&c.*

This Petition being read in Both Houſes, Anſwer was returned to the Divines that Preſented it, to this effect:

That the Petition was very well approved: *That Both Houſes had agreed to have a Publick Faſt in all the Places mentioned in the Petition, on the* Friday *then next following, being* July 21. (which accordingly was very

An. 1643. very ſolemnly performed by Both Houſes of Parliament, and the Aſſembly all together, as well as by the Cities): *And that they would take the other particulars into ſpeedy Conſideration.*

His Majeſty being ready to receive the Sacrament from the hands of the Lord Arch-Biſhop *Uſher*, riſing up from his Knees, and beckoning to the Arch-Biſhop for a ſhort forbearance, ſaid,

The King's Proteſtation to the Lord Primate of *Ireland*, and the Congregation at Chriſt-Church in *Oxford*, *July*, 1643.

My Lord,

I eſpy here many reſolved Proteſtants, who may declare to the World the Reſolution I do now make. I have, to the utmoſt of my Power prepared my Soul to become a Worthy Receiver: And may I ſo receive Comfort by the bleſſed Sacrament, as I do intend the eſtabliſhment of the True Reformed Proteſtant Religion, as it ſtood in its Beauty, in the happy days of Queen Elizabeth, *without any Connivance at Popery. I bleſs* GOD, *That in the midſt of theſe publick Diſtractions, I have ſtill liberty to Communicate: And may this Sacrament be my Damnation, if my Heart do not joyn with my Lips in this Proteſtation.*

A Declaration of the Commons aſſembled in Parliament, concerning the Riſe and Progreſs of the grand Rebellion in *Ireland*.

Declaration concerning the Riſe and Progreſs of the Rebellion in *Ireland*, *July* 25. 1643.

THe Commons in Parliament do obſerve, That the grand Deſign of altering Religion throughout His Majeſties Dominions, had a more ſpecial Influence in Ireland, *as being more remote from View, and more propenſe to receive ſuch Impreſſion, and therefore they think fit to call to mind (as introductive to that which follows) ſome particular Footſteps, by which Popery hath been advanced, and true Religion diſcountenanced in that Kingdom, ſince the Acceſs of His Majeſty to the Crown of* England.

In the Second Year of His Majeſty's Reign, certain Propoſitions were ſet on foot in Ireland, *the ſcope whereof was to fautour and indulge Popery in that Kingdom, as namely, to ſuſpend all Proceedings againſt the Papiſts, for being married, or for procuring their Children to be Chriſtened by Popiſh Prieſts, to allow the ſuing out of Liveries & Ouſter Lemains by the Papiſts, without taking the Oath of Supremacy; with many like Priviledges to the Papiſts. The Deſign being to bring in a more publick Toleration of the Popiſh Religion in that Kingdom, for a Sum of Money to be paid to His Majeſty for the ſame. Theſe Propoſitions and Deſign were ſo groſs and ſcandalous, that even the then Biſhops of* Ireland, *by a Writing under their Hands, bearing Date the* 26th *of* November, 1626. *did make a Proteſtation, ſetting forth how grievous a Sin it was to conſent to ſuch Toleration of Popery, and that to grant it in reſpect of any Money to be given, were to ſet Religion to ſale, and withal, the Souls of the People whom Chriſt hath Redeemed with his precious Blood. And that, as it was a great Sin, ſo they did conceive it of moſt dangerous Conſequence, as by the ſaid Proteſtation herewith Printed may appear: And although the Houſe of Commons in their Remonſtrance made in the third Year of His Majeſty's Reign, did truly inform that even then the Popiſh Religion was openly profeſt in every part of that Kingdom, that Monaſteries and Nunneries were then newly erected and repleniſhed with Men and Women of ſeveral Orders, that this might prove of evil Conſequence, if not ſeaſonably repreſſed, therefore moſt humbly beſought His Majeſty, to lay the ſerious Conſideration thereof to His Royal and Pious Heart, and that ſome ſpeedy Courſe might be taken for Redreſs therein; Yet how this faithful and timely Advice of the Biſhops of* Ireland, *and the Commons of* England, *was followed, and what ſpeedy Courſe was taken for Redreſs therein, will appear by this which inſues. For,*

See Fol. 24.

IN the beginning of the Fourth Year of His Majeſty's Reign, upon the Agreement of certain Agents, ſent from *Ireland* to His Majeſty, (all or moſt part of them being profeſſed Papiſts) theſe Propoſitions and Graces, with many like Additions, were granted and confirmed by His Majeſty, in conſideration of One hundred and twenty thouſand Pounds, to be levied in three Years upon the Kingdom in general, as well upon the Proteſtants as upon the Papiſts:

Papiſts: How great an encouragement to the Papiſts this was, and what an inſufferable preſſure to the Proteſtants, that beſides the illegal impoſing it upon them, without their Conſent in Parliament, they muſt be compelled to purchaſe with their money, Tolerations and Immunities for the Papiſts, let even thoſe Men judge who will be ſtiled the moderate and honeſt Proteſtants, whil'ſt with all their Faculties both of Body and Mind, they ſtrive to advance Popery, and to root up the Proteſtant Religion, and the Liberty of the Subject. 19 *Caroli.*

Many potent and notorious Papiſts have been created Peers by His Majeſty, whereby the Votes of the Popiſh Party in the Lords Houſe (too many before) are much encreaſed; and thoſe Papiſts become more powerful and more exemplary in their reſpective Countries, to the great encouragement and growth of Popery, and diſcouragement to the good people of that Kingdom.

That when by direction of the Lord Chancellor *Loftus*, and the Earl of *Cork*, then Lords Juſtices, Proceedings were begun againſt the Papiſts, upon the Statute of 2 *Eliz.* for not coming to Church, and the Judges in their Circuits gave that Statute in charge, and Indictments were framed thereupon, Directions were ſent from *England*, to ſuſpend and ſtay all Proceedings upon that Statute, when by taking the Penalty impoſed by that Statute, being Nine pence, for abſenting from Church Sundays and Holidays, the poor Proteſtants there might have been eaſed of many heavy Payments and Taxes which were after impoſed upon them, and the Papiſts either brought to Conformity, or elſe kept ſo under, that this Rebellion, if not wholly prevented, yet could not have proved ſo univerſal, and ſo bloody as now it is.

That the late Earl of *Strafford* being the King's Lieutenant there, did by his great Favourite Sir *George Ratcliff*, one of His Majeſty's Privy Council of that Kingdom, hold Correſpondency with the Popiſh Clergy, and particularly with *Paul Harris*, a known Prieſt, who had both publick and private Acceſs to Sir *George Ratcliff* at all times, as well by night as by day.

That in *March*, 1639. the Earl of *Strafford* carried with him into *Ireland* Sir *Toby Matthews*, a notorious pernicious Engliſh Jeſuited Prieſt, (baniſhed at the beginning of this Parliament, upon the Importunity of both Houſes) lodged this Prieſt over againſt the Caſtle of *Dublin*, the Houſe where the Earl did himſelf reſide, and from whence this Prieſt daily rode to the publick Maſs-houſes in *Dublin*, and negotiated the engaging of the Papiſts of *Ireland* in the War againſt *Scotland*.

When the late Lord Chancellor *Loftus* and the Earl of *Cork* were Lords Juſtices, they endeavoured to ſuppreſs the Maſs-houſes in *Dublin*, and to convert them to pious uſes; one, which was in the Street called the *Back-lane*, they diſpoſed of to the Univerſity of *Dublin*, who placed a Rector and Scholars in it, and maintained a weekly Lecture there; to which Lecture the Lords Juſtices and State of *Ireland* did uſually reſort, to the great countenancing of the Proteſtant Religion there: But after the Earl of *Strafford* came to the Government, the Lecture was put down, the Scholars diſplaced, and the Houſe became a Maſs-houſe, as formerly it had been.

That divers Monaſteries and Nunneries were newly erected immediately before the Rebellion brake forth in divers parts of that Kingdom: That at the *Naas*, where the Earl of *Strafford* had his chief Seat and Reſort, Convents of Friars, namely, *Auguſtines*, *Franciſcans*, *Dominicans*, were not only permitted, but alſo an houſe built there by the ſaid Earl, for an other purpoſe, (as he pretended) ſoon after the Building was converted to a Friery, by the Connivence of the ſaid Earl.

That the Popiſh Iriſh Army was kept on foot there for a long time after the beginning of this Parliament, contrary to the Advice and frequent Deſires of both Houſes of Parliament; and to the great furtherance of this Rebellion, by teaching thoſe barbarous Villains the knowledge of Arms, under the notion of fighting againſt *Scotland*, but now made uſe of to extirpate both Engliſh and Scots from the Kingdom of *Ireland*.

And that Lead might not be wanting to the compleating of this intended Rebellion, (as it had been in the laſt great Rebellion there, to the great diſadvantage of the then Rebels) the Silver-mines of that Kingdom (which do afford great ſtore of Lead, and therefore fit only to be in the hands of Proteſtants of known Integrity) were ſirmed out by His Majeſty to moſt pernicious Papiſts, namely, Sir *George Hamilton*, Sir *Baſil Brook*, and the like; and upon

An. 1643. the discovery of the Plot for the surprising of the City and Castle of *Dublin*, divers Barrels of Musket-Bullet were found (upon search) in the house of the said Sir *George Hamilton* in *Dublin*.

Before this Rebellion brake forth, the Earl of *Strafford* (well knowing the ready way to endear his Prince, was to promote his profit) had by a violent endeavour entitled His Majesty by Office to the whole Counties of *Roscommon*, *Mayo*, *Slego*, *Galloway* and *Clare*, and to a great part of the Counties of *Limerick* and *Tipperary*; by which means a door was opened, not only to encrease His Majesty's Revenue in a very great proportion, but therewith to settle a Plantation of English Protestants, to the advancement of Religion, and safety of that Kingdom: And however the proceedings of the Earl herein were not to be justified in all points, yet when the Committee was sent from *Ireland*, at the beginning of this Parliament, to complain of divers Grievances, they had no particular Directions to mention this for one; neither did that Committee ever attend His Majesty, to complain thereof, or desire a Redress therein, (conceiving the mentioning thereof would exceedingly distaste His Majesty) until His Majesty freely offered to depart with his Title to the former Proprietors. But on the contrary, the Lords Justices and Council of *Ireland*, apprehending the great advantage of this Service, did by their Letters exceedingly importune His Majesty, That he would not part with his Title to those Counties and Lands; and that the Plantation of English Protestants might proceed as was formerly intended. But when those mischievous Councils, (now only prevalent with His Majesty) found that the Parliament had both discovered and interrupted them in some measure, and that their Design could be no longer carried on by fraud and subtilties, as before; and had therefore projected this hideous Rebellion, then the Lord *Gormanstown*, Sir *Donnaugh Mac Carthy* Knight, now Lord Viscount *Muskerry*, *Nicholas Plunket*, Uncle to the Earl of *Fingal*, Sir *Roe-buck Lynch*, and *Jeffery Brown*, a Lawyer, all principal and active Rebels now in *Ireland*,) and *Thomas Bourke*, (who was named a Commissioner in the late Commission to Treat with the Rebels, and whose Father, Brothers, and Kindred, are all now in Rebellion, being the chief of the Popish part of that Irish Committee) were consulted and caressed at Whitehall; and they, or some of them without the privity of the rest of that Committee, had divers private Conferences with the King in the *Queens* Presence: And what clandestine Agreement was made with those Rebels may easily be imagined, when upon their private mediation His Majesty was induced to give away those five whole Counties, with a great part of the Counties of *Limerick* and *Tipperary*, after so great an endeavour had been used for divers years together to entitle His Majesty to the same; and all this for a Rent of 2000 *l.* or thereabouts, when as, in finding the Offices, searching Records, and admeasuring these Counties and Lands, the King had expended out of his own Coffers Ten thousand Pounds and upwards. And this Service of entitling the King was before that time esteemed such a Master-piece of the said Earl, that some Persons who came over to complain against the Earl for the same, were imprisoned here, and after sent into *Ireland* to be farther dealt with as the said Earl should think fit.

Neither is it improper to observe upon this occasion, the extreme Difference between this Superlative Indulgence to the Irish Papists, by this unusual Bounty, and that exquisite piece of Injustice offered to the City of *London*, in the case of *Londonderry* and *Colrain*; which shews the Land of *Ireland* is worth the owning, where no greater Compensation is proposed for the parting therewith: And His Majesty was drawn to tell the Committee for *Ireland*, That now since he was content to part with so much of his Right, he expected they would recompence him some other way.

Immediately after, (namely in *August* before the Rebellion) they returned into *Ireland*, where how they bestirred themselves, by seconding their Letters and Messages with their personal Sollicitations, did appear by the Sequel, for that the Three and twentieth of *October* following, this Rebellion brake forth in *Ulster*.

To these violent Presumptions may be added that which is expresly proved by Archdeacon *Maxwell*, a Learned Divine, who testifies in his Examinations taken in *Ireland*, That he heard *Tirl. igh Oge O Neale*, Brother to Sir *Phelim O Neale*, the Arch-Rebel of *Ulster*, confess, That this business (meaning the Rebellion)

19 *Caroli*

Rebellion) was communicated by the Popiſh Iriſh Committee to the Papiſts in *England*, who promiſed their Aſſiſtance; and that by their Advice, ſome things formerly Reſolved on were altered; ſaying, It was a good Omen, and undoubted Sign of Divine Approbation, that the Parliament of *Ireland* ſhould ſend over a Committee into *England*, the major part whereof were Papiſts. And *Mac Mahoun*, who was to join with the Lord *Mac Guire* for the ſurprizing the Caſtle of *Dublin*: being taken and Examined at the Rack, Confeſſed, That the Original of that Rebellion was brought to them out of *England*, by the Iriſh Committee employed to His Majeſty for Redreſs of Grievances, as by the Examination of *James Pieſly* Gentleman, herewith Printed may appear.

And as theſe Iriſh Papiſts did Negotiate in both Kingdoms, ſo the Earl of *Caſtlehaven*, a Peer of this Realm; (that ſate here in Parliament at the beginning thereof, but now a Notorious Rebel in *Ireland*) Mr. *Porter*, Son to *Endimion Porter*, who declared himſelf a Papiſt in *Ireland*, Sir *Bazill Brooke*, the Popiſh Treaſurer for the Monies raiſed by the Queens Sollicitation for the War againſt the Scots; Mr. *Andrew Brown*, a Lawyer of *Lincolns-Inn*, heretofore Expelled thence for being a known Papiſt, with divers other dangerous Engliſh Papiſts, went out of *England* into *Ireland*, the Summer before the Rebellion brake forth, and were very active there.

If theſe Circumſtances preceding the Rebellion, and divers other of the like Nature, be not enough of themſelves to open the Eyes of the World, it hath pleaſed God to diſcover ſuch ſubſequent Evidence of this kind, that may ſerve to Convince the greateſt Unbeliever. Therefore (not repeating any of the Proofs ſet forth in that Anſwer to His Majeſties Meſſage of the 17th of *Auguſt*, 1642. but referring to the ſame herewith Printed, to which no Reply hath yet been made) they think fit to add to that Evidence this which follows; namely, the general Profeſſion of the Rebels in all Parts of that Kingdom, that the cauſe of their Riſing was to preſerve His Majeſty and the Queen from being oppreſt by the Puritan-Parliament, and that it was by their Conſent. That they knew well the beſt in *England* would ſide with them; that they had good Warrant in Black and White for what they did. Their calling the Engliſh Army Parliament Rogues, and Traitors to the Queen; and telling them at the beginning of the Rebellion, before any appearance of War here, that ere long they ſhould ſee *England* as much in Blood as *Ireland* then was. That they had their Party in *England* and *Scotland*, which ſhould keep both Kingdoms ſo buſie at home, that they ſhould not ſend any Aid againſt them, with a multitude of ſuch like Expreſſions from the Iriſh of the beſt Quality and Degree; as may appear by the Examinations of Colonel *Audley Mervin*, *William Steuart* Eſq; *Henry Steuart* Gent. herewith Printed, and by divers other Proofs. And although theſe Expreſſions proceed from Rebels, yet concurring with a multitude of other Proofs, and found true in a great part by ſad Experience, they are not inconſiderable.

Colonel *Mervin's* Examination. *William Stuart* Eſq; Examination. *Henry Steuarts* Examination.

In the ſame Month of *October*, wherein the Rebellion of *Ireland* brake forth, the Lord *Dillon* of *Coſtelough*, (an Iriſh Peer, now in Arms againſt the Parliament and Kingdom of *England*) went out of *Scotland* from His Majeſty into *Ireland*, bringing His Majeſties Letters (which he obtained by Mediation of the Queen) to be preſently Sworn a Privy-Counſellor of *Ireland*; who when he had taken the Oath of a Privy-Counſellor, endeavours to be uſeful to the Rebels, preſents to the Lords, Juſtices, and Council, from many of the Gentry and Inhabitants of the County of *Longford*, (all in Rebellion) a Rebellious and Scandalous Letter in the Nature of a Remonſtrance, full of pretended Grievances, and unreaſonable Demands: As Namely, to have freedom of Religion, a repeal of all Laws made to the contrary, and the like; as by the ſaid Letter herewith Printed may appear.

In *December* after the Rebellion, the ſame Lord *Dillon*, together with his Brother-in-Law, the now Lord *Taaffe*, (a Notorious Papiſt) repaired into *England*, bringing with them ſeveral Papers and Inſtructions in Writing from the Lord *Gormanſton*, and other Lords and Gentlemen of the *Pale*, all now in Rebellion, to Negotiate for them to His Majeſty; and as they ſollicite with His Majeſty here on the behalf of the Rebels, ſo do they ſollicite the Rebels from hence in the Name of His Majeſty, to perſiſt in their wicked Rebellion, as appears by the Teſtimony of Mr. *Jephſon*, a Member of the Houſe of Commons, lately delivered at a Conference before both Houſes in theſe Words, *viz.*

An. 1643.

AT my late being at Oxford, *finding the Lord* Dillon *and the Lord* Taaffe *in Favour at Court, I acquainted the Lord* Faulkland, *His Majesties Secretary, that there were Two Lords about the King, who to His Majesties great Dishonour, and the great Discouragement of His good Subjects, did make Use of His Majesties Name to Encourage the Rebels: To make this appear, I informed that I had seen Two Letters sent by the Lord* Dillon *and the Lord* Taaffe, *to the Lord of* Muskerie, *the chief Man in Rebellion in* Munster, *and One of the Irish Committee sent into* England, *intimating that though it did not stand with the conveniency of His Majesties Affairs to give him publick Countenance, yet that His Majesty was well pleased with what he did, and would in time give him Thanks for it*; (*or near to that purpose.*) *That these Letters were seen by the Lord* Inchiquine, *the chief Commander of the English Forces in* Mounster, *and by his Secretary, who had kept Copies of them*; *and that I was ready to justifie as much. Whereupon the Lord* Faulkland *was pleased to say, That they deserved to be Hanged. But though I stayed there at* Oxford *about a Week after this discovery made*; *I never was called to any farther Accompt, nor any prejudice done to these Two Lords, but they had the same freedom in Court as before, for ought I could observe or hear to the contrary.* Thus far in Mr. *Jephson*'s own Language, a Man of known Honour and Integrity.

That since this discovery made to the Lord *Faulkland* by Mr. *Jephson*, the same Lord *Taaffe*, one *Roche*, and *William Brent* a Lawyer, active Papists, with Letters from His Majesty, went from *Oxford* to *Dublin*: And upon Thursday before *Whitsuntide* 1643, in the Evening, (taking with them one Colonel *Barry*, a profest Papist) and pretending for *Connaught*, slipt away to *Kilkenny*, where the Tuesday following was a general Assembly of all the chief Rebels. When they had done their Errand, *Barry* was left Lieger at *Kilkenny*, among the Rebels; the Lord *Taaffe* returned to *Dublin*, and upon Friday the 9th of *June*, 1643. the Lord *Taaffe*, with divers of the Privy-Council of *Ireland*, that favour'd the Rebels, met at the Marquis of *Ormond*'s House, where the Propositions, which the Lord *Taaffe* brought from the Rebels were debated. The Lord *Taaffe* is since gone into *Connaught*, *Brent* is come back to *Oxford* to give an Accompt of this Imployment.

By this, which hath been thus truely related, every Man may construe what was meant by His Majesties not Consenting that the Parliament should send a Committee into *Ireland* the last year, to endeavour the carrying on the War against the Rebels, upon pretence that the Earl of *Leicester* was presently to go over thither, who is yet remaining at *Oxford*. That when that Committee had prevailed with the Lords Justices and Council, and with many of the prime Commanders, and other Officers of the Army in *Leimster*, to subscribe by way of Adventure for Land in *Ireland* to be setled by a new Bill, very considerable Sums which were to be deducted out of their respective Entertainments, and were in a fair and hopeful way to induce most of the Officers of that Kingdom to do the like, which would have been a principal means under God, to have quickned the managing of that War, when the Officers that must do the work should have been engaged in Interest, as well as Honour, to prosecute the same with vigour and effect, and would have lessened the insupportable charge of that War, and in all probability would have encouraged the Adventurers in *London* and elsewhere, to have proceeded cheerfully to a second Subscription. Then to render this endeavour fruitless, one Captain *Yarner* did confidently affirm, that those which had, or should subscribe, were Enemies to the King, a thing so incredible, that few could believe it, till the same Man went to *Oxford*; and upon his return to *Dublin*, assured the Lord Marquis of *Ormond* and the Officers, That he had discoursed with His Majesty about this way of Subscription, and that His Majesty did not approve of the same: Whereupon those who had Subscribed did withdraw their Hands, and the rest were wholly discouraged, finding His Majesty to dislike of that way, which he had formerly approved of, by His Assent to the Propositions presented to Him at *Dover*; and by His Royal Assent to four Acts of Parliament, all made in pursuance of these Propositions.

That about this time a Commission was sent over, to meet with the Rebels, and to hear what they could say, or propound for themselves; which Commission was directed to the Lord Marquis *Ormond*, the Commander in Chief of the English Armies there, (whose Duty was to Fight, and not to Treat with the Rebels;)

Rebels;) and to ſome other Commiſſioners, among whom the ſaid *Thomas Bourk*, that had an hand in contriving this Rebellion, was one, and who brought the ſaid Commiſſion into *Ireland*, and confidently delivered the ſame at the Council Table, to the amazement of all the Council then preſent, that were not acquainted with the Plot. 19 *Caroli*.

And whereas by an Act of Parliament, it is provided, *That all the Monies paid in upon that Act, ſhall be imployed for the ſpeedy and effectual ſubduing of the ſaid Rebels, by ſending over into the ſaid Realm of* Ireland, *and diſpoſing there ſuch Forces of Foot and Horſe, Monies, Ammunition, Victual, and all other Things neceſſary for a War, in ſuch manner as the Lords and Commons in Parliament ſhall from time to time direct.*

And whereas the Lords and Commons, finding that from the Battel of *Kilrush*, which was fought in *April* 1642, till *October* following, the Army in *Leiceſter* had not been ſo active as was expected; and therefore to quicken the War, to inform themſelves of the Wants and Defects of the Army, and of all other Things that might enable them the better, *To ſend thither, and diſpoſe of there, (according to that Statute) ſuch Forces, Monies, Ammunition and Neceſſaries*, as were requiſite for that Service, thought it very expedient to ſend into *Ireland* a Committee for that purpoſe, Members of the Houſe of Commons, but Authorized from both Houſes; who carrying with them above Twenty Thouſand Pounds in ready Money, beſides great Store of Powder, Match, and other Ammunition, and hazarding their lives in the Winter Seaſon, merely for the good of that Kingdom, might juſtly have expected a cordial welcome there. But when thoſe that now appear too evidently to favour the Rebels, ſaw, that during the abode of the Committee there, Parties were continually ſent forth to deſtroy the Enemy; That the Committee engaged their own particular Credits, to take up Monies for the Relief, and ſetting forth of the Army; That the Commiſſion ſent over to Treat with the Rebels, was not like to have ſo good Succeſs as was wiſhed by them, ſo long as the Committee were preſent at the Council-Table, where all the Proceedings againſt the Rebels were promoted and concluded. A Letter was ſent from His Majeſty to the Lords Juſtices and Council, to this Effect; That His Majeſty took Notice, that without His Conſent or Privity, they had admitted of one Maſter *Robert Goodwyn*, and one Maſter *Reynolds*, to be preſent at their Debates; who thereupon were become ſo bold, as to Vote with them, a Thing of ſuch Preſumption, as none of their Predeceſſors would have done or ſuffered: And therefore His Majeſty did Require the Lords Juſtices and Council, not to admit them any more; That He knew of no Buſineſs thoſe Men had in His Kingdom of *Ireland*, but if they had any, they ſhould make their Addreſſes like other of His Subjects; and did upon their Allegiance, charge the Lords Juſtices and Council to take care that thoſe Perſons did not ſow Sedition among His good Subjects. And 'tis obſervable, that this Letter (like that which accompanied the Commiſſion to Treat with the Rebels) was only Signed with His Majeſty's Hand, without any Secretaries Hand to avow the ſame. That it was brought over by the Marquis of *Ormond*'s own Secretary, who was ſent very ſecretly to *Oxford* a little before. That although both Houſes before the ſending over of their Committee, had acquainted His Majeſty therewith by Letter, and ſent him a Copy of the Inſtructions, which they had given to their Committees, to which Letter and Inſtructions, an Anſwer was returned by Sir *Edward Nicholas*, as from His Majeſty, acknowledging thereby, that the Inſtructions were the ſame in effect which His Majeſty had given to the Earl of *Leiceſter*; Yet after all this, His Majeſty was pleaſed to ſay in that Letter, that He knew of no Buſineſs thoſe Men had in His Kingdom of *Ireland*.

And 'tis further obſervable, that a Committee ſent by the Authority of both Houſes of Parliament, (who had both the Charge and Managing of the War referred unto them;) to Negotiate and Conſult with a State in Diſtreſs, for their own Good, where every Privy-Counſellor ſate covered in Council, there ſuch a Committee ſo qualified ſhould make their Addreſſes like other of His Majeſties Subjects: that is to ſay, ſhould ſtand bare-Headed at the back of the Council day by day, from morning to night, *and humbly beſeech them to ſave the Kingdom of* Ireland, *and conſequently their own Eſtates, at the proper Coſt and Charges of the Parliament and Kingdom of* England, *who ſent them thither.* Laſtly, the Commons cannot conceive what is meant that the Juſtices and Council, are ſtraitly charg'd in that Letter, upon their Allegiance, not to ſuffer the Committee

An. 1643. mittee to ſow Sedition among His Majeſty's good Subjects, unleſs to ſtir up and incite the *Engliſh* Soldiers in the Pay of the Parliament, to proceed vigorouſly againſt thoſe bloody *Iriſh* Rebels, be conſtrued as the ſowing of Sedition among His Majeſty's good Subjects, for that the *Iriſh* Rebels ſhould be now eſteemed His Majeſty's good Subjects; is more than probable by that which follows. Sir *William Brereton*, Knight of the Shire, for the County of *Cheſter*, a Man of Honour and Religion, by his Letter to the Speaker of the Houſe of Commons, dated from *Liverpool* in *Lancaſhire*, the 7th of *June*, 1643. and herewith likewiſe Printed, after ſome account given of his happy proceedings in thoſe parts, writes in this manner.

'Within few days after this Victory, there Landed out of Two Barques 'many *Iriſh* Rebels in *Werrall* in *Cheſhire*, ſome whereof acknowledged, in the 'preſence of divers ſufficient Men, who affirmed the ſame unto me; That they 'had waſhed their hands in the Blood of divers *Engliſh* and *Scotch* in *Ireland*, 'and now hoped to waſh their hands in the Blood of *Engliſh*-men in *England*; 'which Rebels being brought unto *Cheſter*, were accuſed by ſeveral of thoſe 'poor *Engliſh* who fled from *Ireland* to *Cheſter* for Refuge, to be the Perſons 'who cut their Husbands Throats, others, that they ripped up their Childrens 'Bowels. The Country wherein they firſt arrived did apprehend ſo much 'diſtaſt, that they did all riſe with their beſt Weapons, and apprehended divers 'of the *Iriſh* Rebels, but being unarmed, not having paſt ſeven or eight Muſ-'queteers, they could nor make good their Priſoners, who were reſcued out 'of their hands by a Troop of Horſe which came from the Commiſſioners of 'Array, who alſo ſeized about 28 of our honeſt Country-men Priſoners. 'Theſe *Iriſh* acknowledge they came from *Strangford*, and that there are 1200. 'ſome ſpeak of 10000. more to follow after, as by the ſaid Letter herewith 'Printed may appear.

So theſe *Iriſh* Rebels were taken for good Subjects, and ſet at liberty, and the honeſt Men that had taken them, Impriſoned in their ſtead.

And that the Counſels now predominant at *Oxford*, and the ſupreme Council of Rebels at *Kilkenny* are equally His Majeſty's good Subjects, and do aim at one and the ſame thing, and are concurring and aiding one another, as well by Sea as by Land, is apparent by that which follows.

The Commiſſioners authoriſed to Command the King's Forces in the Weſt, *viz.* The Lord *Mohun*, Sir *Ralph Hopton*, and others, by an authority derived unto them under the Great Seal of *England*, as they expreſs themſelves, do grant Commiſſions or Letters of Mart, for the apprehending, ſeizing, and taking for His Majeſty's Service, all Ships and Veſſels, belonging to the Cities, Towns and Ports of *London*, *Exeter*, *Hull*, *Portſmouth*, *Dartmouth*, *Barnſtable*, *Biddeford* and *Plimouth*, or belonging to any other Cities, Towns, or Ports of *England*, *&c.* As by a Commiſſion or Letters of Mart, bearing date the firſt of *June*, 1643. under the Hands and Seals of the Lord *Mohun*, Sir *Ralph Hopton*, and Sir *John Barklay*, herewith likewiſe Printed may appear.

On the other ſide the Rebels of *Ireland*, by the name of the ſupreme Council of the Confederate Catholicks of *Ireland*, do grant Commiſſions or Letters of Mart, for the taking of all His Majeſty's Enemies, and the Enemies of the general Catholick Cauſe now in hand in that Kingdom of *Ireland*, as by a Commiſſion dated the 5th of *March*, 1642. granted by the ſaid Supreme Council, to one *Francis Oliver*, a *Flemming*, herewith likewiſe Printed may appear.

And as the Ships in His Majeſty's Service do gratifie the Rebels of *Ireland*, in ſeizing the Ships that bring Proviſion for the Relief of the *Engliſh* Army in *Ireland*, as appears by the Examination of *John Davice*, Eſquire, Commiſſary of Victual for the Province of *Ulſter*, who teſtifieth as followeth:

That a Ship called *The Michael of London*, whereof *Sydrake Pope* was Maſter, was ſent for *France* by the ſaid *John Davice*, with 648 Hydes, which were to be ſold, and converted into Corn, for the Relief of the Army in *Ulſter*: This Ship, by foul Weather, in *December*, 1642. was forced into *Falmouth*, in *Cornwal*, where ſhe was ſeized on by Sir *Nicholas Slanning*, and by him ſent into *France*, and the proceed of the Hydes returned to him in the ſaid Ship, in Powder, Match, und Ammunition. That about the 20th of *April*, 1643. a Ship belonging to *William King* of *Dover*, Laden with Wines and Salt from *France*, and bound for *Carrickfergus* in *Ulſter*, upon the account of the ſaid *John Davice*,

Was

was taken at Sea by one *Richard Jones*, Captain of a Ship set out from *Falmouth* by His Majesty's Warrant; and as well the Ship as the Goods were sold at *Brest* in *France* by the said *Jones:* so the Rebels of *Ireland* do in like manner gratifie His Majesty, by commanding the Ships set forth by them to examine all *English* Ships at Sea, whether they be for the King or Parliament; and if they be for the King, to let them go; but if for the Parliament, to take and Pillage them, as may appear by the Examinations of *Christopher Hassal*, and *Mark Roche*, two *Irish* Seamen of *Wexford* in *Ireland*, who were taken upon the Coast of *Yarmouth* in *Norfolk*, and *June* 12. 1643. examined before the head Officers of *Yarmouth*, and authentick Copies of those Examinations sent up to the House of Commons, and herewith Printed. 19 *Caroli.*

The Earl of *Antrim*, a notorious Rebel, was taken by the *Scots* Army in *Ulster*, and Imprisoned there, upon suspicion of High-Treason: To avoid his Tryal, he brake Prison, and fled into the *North* parts of *England*, and hath been with the Queen at *York* a long time; from whence he was sent to the Rebels of *Ulster*, with secret Instructions, and had Ammunition assigned him by the Queen's directions: And what care was taken of his Ammunition, will appear by a Letter dated at *York*, the 8th of *May*, 1643. written by Serjeant-Major *Rosse*, to that *Apostata* Sir *Hugh Cholmley*, Governor of *Scarborough*, intercepted by the Lord *Fairfax*, and sent up to the House of Commons; wherein *Cholmley* is intreated to have such care of the Ammunition appertaining to the Lord of *Aboyn*, as he shall have of the Lord of *Antrim*'s Ammunition, for Mr. *Jermin* hath desired him to write these Lines; as by the Letter herewith also Printed may appear; and what relation M. *Jermin* hath to the Queen is well known to the World. Since this care taken of the Ammunition of the Earl of *Antrim*, and the Lord of *Aboyn*, the Earl of *Antrim* is taken the second time by General Major *Monroe*, in the County of *Downe* in *Ireland*, as he was returning from the Queen to the Rebels of *Ulster*, with divers Letters, Instructions, and Papers: And by the Confession and Deposition of the Earl of *Antrim*'s own Servant (who was taken with his Master, and since Condemned and Executed) it is evident that there was, and doubtless yet is, an impious Design on foot to reconcile the *English* and *Irish* in *Ireland*; and that by their joynt power having expelled the *Scots*, the *Irish* Forces there might be sent against the Parliament of *England*. The Earl of *Antrim* and the Lord of *Aboyn*, (whose Arms assigned them by the Queen for this purpose were taken care of by M. *Jermyn*) as appears by the said Letter from Serjeant-Major *Rosse*) and the Earl of *Niddisdale*, were Three principal Agents employed in this horrid Plot. And that it may clearly appear to the whole World from whence all our Miseries and Calamities do proceed, the same Lord of *Aboyn*, by his Letter directed to the Earl of *Antrim* then with the Queen, bearing date at *Carlisle*, the 8th of *May*, 1643. and taken in the Earl of *Antrim*'s Pockets, among the rest of the Letters and Papers, writes in these words; *My Lord, being certainly informed by* Niddisdale's *Servant, That there is a new* Order *since we parted, for stopping of the Ammunition, I have taken occasion to intreat your Lordship by this Bearer, that I may know the particulars of it. I must confess, it surprizeth me, that any distance should alter so seasonable a conclusion: And certainly, I shall never deserve to be made the Instrument of frustrating the hopes of those parts, which should have been enabled by this Supply: I am perswaded there is scarce another mean to make our Fidelity useless for Her Majesty's Service.* And lastly, desires the Earl of *Antrim* in that Letter, to acquaint the Queen with these effects of his Ingenuity, as by the said Letter herewith likewise Printed may appear. And that it might appear to the Rebels of *Ireland*, that the Earl of *Antrim* was accounted His Majesty's good Subject, and had His Majesty's approbation for what he was to act there, he was furnished with a Pass from the Earl of *Newcastle*, in these words:

William *Earl of* Newcastle, *Governour of the Town and County of* Newcastle, *and General of all His Majesty's Forces raised in the Northern parts of this Kingdom, for defence of the same: To all Colonels, Lieutenant-Colonels, Serjeant-Majors, Captains, and all other His Majesty's loving Subjects of* England *and* Ireland. *Forasmuch as the Right Honourable the Earl of* Antrim *is to Travel to* Dublin *in* Ireland, *and other parts of that Kingdom, These are therefore to desire and require you, and every of you, to whom this shall come to be seen, to permit Him and his Servants quietly and peaceably to pass and repass into those Parts, and back again, without any molestation*

or

An. 1643. *or interuption: And further, I do hereby require all Poſt-Maſters, Conſtables, and other Officers, to furniſh the ſaid Earl and his Servants, with ſo many Poſt-Horſes as they ſhall have need of from Place to Place, and Stage to Stage for all the ſaid Journey, He and They paying the uſual Rates for the ſame. And hereof you, or any of you may not fail at your Peril.*

Given under mine Hand and Seal, the 4th day of *May*, 1643.

Signed, *William Newcaſtle.*

Neither can it be imagined, That the Earl of *Newcaſtle*, a Privy-Counſellor, and a great Commander under His Majeſty, durſt have adventured to have given ſuch a Paſs to ſo notorious a Rebel, without expreſs Warrant ſo to do: which Paſs, together with the ſaid Letters, were found in the Earl of *Antrim*'s Pockets, and were ſent by Major General *Monroe* into *Scotland*, from whence authentick Copies are ſent hither, which are likewiſe herewith Printed, together with a Declaration of the Lords of His Majeſty's Privy Council in *Scotland*, and Commiſſioners, for conſerving the Articles of the Treaty, dated at *Edinburgh* the 9th of *June*, 1643. concerning the apprehending and employment of the Earl of *Antrim*, with their ſenſe upon the ſame; As alſo a Letter ſent from Major-General *Monroe* (who took the ſaid Earl of *Antrim*) to the Committee appointed by the Houſe of Commons for the Affairs of *Ireland*, bearing date at *Carrickfergus* the 23d of *May*, 1643. To which may be added, The Earl of *Antrim*'s own Confeſſion, who was examined before Major-General *Monroe* and a Council of War, the 12th of *June*, 1643. and in his Examination confeſſes, That he came into *Ireland* with the Lord of *Newcaſtle*'s Paſs, and with private Inſtructions for making of Peace; and Maſter *Steuart*, another Servant of the ſaid Earl of *Antrim*, and taken with him, being likewiſe Examined the ſaid 12*th* of *June*, 1643. before the ſaid General *Monroe* and Council of War, and threatned with Torture, except he would declare by whoſe Warrant and direction the ſaid Earl of *Antrim* had undertaken that Imployment, ſaith, That as the Ammunition and Arms was to be furniſhed by the Queen's Order and Command: ſo that he doubts not but the Earl of *Antrim*'s Imployment and others was directed by Her Majeſty.

But yet to come nearer home, The Houſe of Commons, among a numerous Company of Proofs of this kind, too many to be all related, ſhall conclude with the Teſtimony of *John Dod*, late Miniſter of GOD's Word at *Annegilliſſe* in the County of *Cavan*, in the Province of *Ulſter* in *Ireland*, who was examined at the Bar of the Houſe of Commons, and after before a ſelect Committee of the ſaid Houſe, and teſtifieth, That after he had ſuffered many Miſeries in this Rebellion of *Ireland*, he repaired into this Kingdom, and ſome occaſions carrying him to *Oxford*, he ſtayed there ſeven Weeks, and came out of *Oxford* the 13*th* of *June*, 1643. That during his ſtay there he ſaw a great number of *Iriſh* Rebels, whom he very well knew to have had a hand in the moſt barbarous actions of that Rebellion; as the daſhing of ſmall Infants in pieces, the ripping up of Women with Child, and the like, among whom was one *Thomas Brady*, who at *Turbet* in *Ireland*, within ſeven Miles where the ſaid *Dod* lived; as 36 old Men, Women, and Children, not able to flee, were paſſing over a Bridge, cauſed them all to be thrown into the Water, where they were all Drowned; that this *Brady* is now at *Oxford*, in great favour, and Serjeant-Major to Colonel *Piercy* his Regiment; that he ſaw there Three Franciſcan Fryars, namely, *Bryan ô Gormuly*, *Anthony mac Cochagan*, and *Thomas Nugent*; and Three Jeſuits, namely, *Lawrence Sutton*, *Philip Roch*, and *Edmund ô Rely*, who were all very earneſt for the Cauſe, and daily encouraging the Soldiers to fight againſt the *Round-heads*, and for that purpoſe have liſted themſelves in the Lord *Dillon*'s Troop, as was affirmed by divers; they go very brave and are called Corners: That there are daily and publick Meetings at Maſs, in almoſt every Street there; and verily believes in his Conſcience, That for one Sermon Preached; there are four Maſſes ſaid now at *Oxford*; That he ſaw Sir *John Dungan* there, a Man accuſed of High-Treaſon in *Ireland*, for being in the Rebellion, and fled into *England*, who hath a Commiſſion for a Troop of Horſe; The Lord *Barnewall* of *Trimbleſtown*, and his Son, who hath a Commiſſion for a Troop of Horſe, and is now gone into *Wales* to raiſe them; A

Son

Son of the Lord *Newterfield*, who hath gotten a Command likewiſe; that as near as he can poſſibly compute, there was then at *Oxford* above 3000 Rebels; and that moſt of the King's Life-Guard are *Iriſh*; by all which it may appear, That the *Iriſh* Rebels are not only eſteemed His Majeſty's good Subjects, but even the beſt of His Subjects, when they thus are admitted ſo near His Majeſty's own Perſon. 19 *Carth.*

Upon the whole matter, no Man can think, that this Rebellion in *Ireland*, ſo barbarous and bloody, that One Hundred and Fifty Four Thouſand Proteſtants, Men, Women, and Children, *Engliſh* and *Scotch*, were Maſſacred in that Kingdom, between the 23*d* of *October*, when the Rebellion brake forth, and the 1*ſt* of *March* following, by the computation of the Prieſts themſelves that were preſent, and principal Actors in all thoſe Tragedies, and were directed by ſome chief Rebels of *Ireland* to take this computation, leſt they ſhould be reported to be more bloody than in truth there was cauſe: All which appears by the examination of the ſaid Arch-deacon *Maxwel*, who lived as a Priſoner a long time with St. *Phelim O Neils* Mother, and was there when this Computation was brought in.

No Man can believe, That this horrid and unparallel'd Rebellion ſhould be the undertaking of the Rebels alone, being ſet on foot when a Parliament was ſitting in *England* that could not diſſolve without its own conſent, when all Nations profeſſing the *Romiſh* Religion, were at Peace with *England*, and ſo engaged at home, that the Rebels, in reaſon, could not expect any conſiderable aſſiſtance from them, nor could think themſelves able to encounter *England*, or *Scotland* either, much leſs both together, being ſo concerned and engaged by Religion, and the common Intereſt of both Kingdoms, to ſuppreſs, by all means poſſible, ſo inſufferable an Inſurrection: So that to imagine the Nobility, Gentry, and in a manner, the whole Kingdom of *Ireland*, who at that time enjoyed more freedom of Religion, than they had done for many Years before, ſhould thus deſperately engage their Lives and Eſtates in ſo wicked, ſo raſh an enterpriſe, without being encouraged, incited, nay commanded from *England*, with aſſurance both of connivance and aſſiſtance too, were to deny them to be reaſonable Creatures.

And therefore the Houſe of Commons abundantly ſatisfied in their own Conſciences and Judgments of the truth hereof, (though with deep ſorrow and amazement) cannot but declare to the World, That by all theſe concurring Circumſtances and convincing Proofs, (to which nothing can be added, ſave a witneſs, to confeſs that he was preſent at the making of the Bargain, which no Man will expect in a Conſpiracy of this horrid and high importance) that this unheard of and monſtrous Rebellion of *Ireland*, was projected, incited, and aſſiſted, by thoſe Counſels now only prevalent with His Majeſty. That the Queen, with Her Romiſh Prieſts, the Papiſts of all His Majeſty's Three Kingdoms, have been principal Actors and Sticklers herein. That now thoſe bloody Rebels have, in a manner, rooted out the Proteſtant Religion in *Ireland*, there is a deſign to pardon them, and to bring them into *England* to do the like. That no earthly power is likely, in humane reaſon, to withſtand this damnable Plot, but the Power of the Parliament in *England*, which is now declared by a late Proclamation, to be no free Parliament, to be null, and of none effect; and all poſſible endeavour uſed, by ſtrength and ſtratagem, to deſtroy the ſame. So that unleſs the Royal Blood of King *James*, and the innocent Blood of the Proteſtants of *Ireland*, do lie as a crying and ſtupendous Guilt upon this Nation; which *GOD* hath determined at this time to Revenge and Retalliate: The Houſe of Commons do conceive it impoſſible, that ſo many of thoſe which would be thought the honeſt and moderate *Engliſh* Proteſtants ſhould any longer be blinded and led on, to joyn with *German*, *French*, *Walloon*, *Engliſh*, *Scotch*, and *Iriſh* Papiſts; and thereby to Surrender up at once, the Proteſtant Religion, the Parliament, Liberties and Laws of *England*, into the hands of Papiſts and Strangers; that ſo this Renowned Kingdom may be no more a Nation.

An. 1643.

Die Martis, 25 *Julii*, 1643.

IT is this day Ordered by the Houſe of Commons, That the Miniſters of every Pariſh, within the Kingdom, ſhall Read this Declaclaration in their ſeveral Churches and Chapels on the next Faſt-Day after the ſame ſhall come to their Hands, after the ending of the firſt Sermon, and before the beginning of the next.

H. Elſynge, Cler. Parl. Dom. Com.

There were annext to this Declaration, many Examinations, and other Papers referred unto therein, ſome of which we have inſerted in their proper places, and the reſt to avoid Tediouſneſs omit.

To the Honorable the Knights, Citizens, and Burgeſſes of the Commons Houſe in Parliament Aſſembled.

The Humble Petition of the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council Aſſembled.

A Petition of the City of *London* againſt Propoſitions ſent from the Lords, *Aug.* 7.

SHEWETH,

THat your Petitioners having heard, That ſuch Propoſitions and Offers have been lately ſent from the Houſe of Peers to this Honorable Houſe; which (as we greatly fear) if yielded unto, would be deſtructive to Our Religion, Laws and Liberties; And finding already by Experience, That the Spirits of all the Well-affected Party in the City and Counties adjacent, that are willing to aſſiſt the Parliament, both in Perſon and Purſe, are much dejected thereat, and the Brotherly Aſſiſtance from Scotland, *as well as the Raiſing and Maintaining of Forces Our Selves, thereby likely to be Retarded; (all which the Petitioners refer to your Serious Conſideration;) And conſidering our preſent ſad Condition lies upon us in a ſpecial manner, through the incenſed Patience of the Almighty, by delay and want of Execution of Juſtice upon Traitors and Delinquents: And having an opportunity yet afforded us to Speak; Our Deſires are,*

That you would be pleaſed ſo to perſiſt in your former Reſolutions, whereupon the People have ſo much depended, and wherein you have ſo deeply engaged your Selves, (though you ſhould periſh in the Work) that Juſtice may be done upon Offenders and Delinquents. And that ſince we are as willing as ever to expoſe what we *Are*, and *Have*, for the Crowning of ſo good a Cauſe, you will be pleaſed by ſpeedy paſſing the Ordinance hereunto annext, or one to this effect, to put us into a probable way for our and your Defence, wherein your Petitioners will by the Bleſſing of God, never be wanting,

But will ever Pray.

There was annext the Draught of an Ordinance for Impowering a Committee to Liſt Men, and receive Subſcriptions from ſuch as ſhould Offer the ſame. The Petitioners had the Thanks of the Houſe, with promiſe ſpeedily to take the particulars of their Petition into Conſideration.

The ſame day many Citizens and Inhabitants of *London* went down in great Multitudes to *Weſtminſter*, whereupon the Commons paſs'd this Order.

Die

19 *Caroli.*

Die Lunæ, 7 Auguſti, 1643.

IT is this day Ordered by the Commons in Parliament, That it be Recommended to my Lord Mayor of *London* to take ſome Courſe to prevent all Tumults.

The Mayor in purſuance thereof ſet forth a Proclamation, prohibiting all Perſons within the City, and the Liberties thereof, from making any Unlawful Aſſemblies, or Printing any Papers to be diſperſed to that end, upon pain of Incurring the utmoſt Penalty of the Law to be Inflicted upon all ſuch Offenders.

To the Honorable the Houſe of Commons in Parliament Aſſembled.

The Humble Petition of many Civilly-Diſpoſed Women, Inhabiting in the Cities of *London, Weſtminſter,* the Suburbs and Parts adjacent.

SHEWETH,

The Womens Petition preſented, *Aug.* 9.

THat your poor Petitioners (though of the weaker Sex) do too ſenſibly perceive the enſuing Deſolation of this Kingdom, unleſs by ſome timely means your Honours provide for the ſpeedy Recovery thereof. Your Honours are the Phyſitians, that can by Gods Special and Miraculous Bleſſing (which we humbly Implore) Reſtore this Languiſhing Nation, and our Bleeding Siſter, the Kingdom of Ireland, *which hath now almoſt Breathed her laſt Gaſp.*

We need not Dictate to your Eagle-Ey'd Judgments the Way; Our only deſire is, That Gods Glory in the True Reformed Proteſtant Religion may be preſerved, the juſt Prerogatives and Privileges of King and Parliament maintained; The true Liberties and Properties of the Subject, according to the known Laws of the Land, Reſtored; and all Honorable Ways and Means for a ſpeedy Peace endeavoured.

May it therefore pleaſe your Honours, That ſome ſpeedy Courſe may be taken for the Settlement of the true Reformed Proteſtant *Religion* for the Glory of God, and the Renovation of Trade for the Benefit of the Subject, they being the Soul and Body of the Kingdom.

And your Petitioners, with many Millions of Afflicted Souls, Groaning under the Burthen of theſe Times of Diſtreſs, ſhall (as bound) Pray, *&c.*

The Womens Tumult at the Houſe of Commons, *Aug.* 7.

This Petition was brought up by two or three Thouſand Women, but generally of the meaneſt ſort, with *White Silk Ribons* in their Hats, and was by ſome of their number preſented to the Houſe of Commons, who Received and Read the ſame; And ſent out Sir *John Hepſley* and two or three Members more to return them an Anſwer, That *the Houſe were no ways Enemies to Peace, and that they did not doubt in a ſhort time to Anſwer the Ends of their Petition, and deſired them to return to their Habitations.* But the Women not ſatisfied, remain'd thereabouts; and by Noon were encreaſed to 5000 at the leaſt; and ſome Men of the Rabble in Womens Cloaths, mixt themſelves amongſt them, and inſtigated them to go on to the Commons Door, and Cry *Peace, Peace,* which they did accordingly; thruſting to the Door of the Houſe at the Upper-Stairs-head; and as ſoon as they were paſs'd, a part of the Trained-Band (that uſually ſtood Centinel there) thruſt the Soldiers down, and would ſuffer none to come in, or go out of the Houſe for near Two Hours; The Trained-Band adviſed them to come down, and firſt pulled them; and afterwards to fright them, *Shot Powder*; But they cry'd

An. 1643.

out, *Nothing but Powder*; and having *Brickbatts* in the Yard, threw them apace at the Train-Band, who then Shot Bullets, and kill'd a *Ballad-Singer* with one Arm, that was heartning on the Women, and another poor Man that came accidentally. Yet the Women not daunted, cry'd our the louder at the Door of the Houſe of Commons, *Give us theſe Traitors that are againſt Peace, that we may Tear them to pieces*; *Give us that Dog* Pym, *&c.* At laſt, Ten of *Waller*'s Troopers, (ſome of them Cornets) having his Colours in their Hats, came to paſs by the Women, who would needs have the Soldiers Colours out of their Hats, and took away the Ribons from Two of them, and call'd them *Waller*'s *Dogs*, *&c.* Whereupon they drew their Swords, and laid on ſome of them *Flatways*, but ſeeing that would not keep them off, at laſt cut them over the Hands and Faces, and one Woman loſt her Noſe; whereof 'twas Reported, ſhe afterwards Died. As ſoon as the reſt of the Women ſaw Blood drawn, they ran away from the Parliament Houſe, and ſcatter'd themſelves in the Church-yard, the Palace-yard, and Places adjacent. And about an Hour after the Houſe was up, a Troop of Horſe came, and Cudgell'd ſuch as ſtaid with their Canes and diſperſed them. But unhappily a Maid Servant, that had nothing to do in the Tumult, was ſhot as ſhe paſs'd over the Church-yard; The Trooper that did it, was ſent to the Gate-Houſe, in order to his Trial for her Death; but he alledged his Piſtol went off by miſchance. Serjeant *Francis*, and one Mr. *Pulford* were committed for encouraging this Female Riot.

Die Lunæ, 28 *Auguſti*, 1643.

An Ordinance of the Lords and Commons aſſembled in Parliament; For the utter Demoliſhing, Removing, and taking away of all Monuments of Superſtition or Idolatry.

THE Lords and Commons in Parliament taking into their ſerious Conſiderations, how well pleaſing it is to God, and conduceable to the Bleſſed Reformation in his Worſhip, ſo much deſired by both Houſes of Parliament, That all Monuments of Superſtition or Idolatry, ſhould be removed and demoliſhed, do Ordain, That in all and every the Churches and Chapels, as well Cathedral and Collegiate, as other Churches and Chapels, and other uſual places of publick Prayer, authoriſed by Law within this Realm of England *and Dominion of* Wales, *all Altars and Tables of Stone, ſhall before the firſt day of* November *in the year of our Lord God* 1643, *be utterly taken away and Demoliſhed; And alſo all Communion Tables removed from the Eaſt end of every ſuch Church, Chapel, or place of publick Prayer, and Chancel of the ſame, and ſhall be placed in ſome other fit and convenient place or places of the Body of the ſaid Church, Chapel, or other ſuch place of publick Prayer, or of the Body of the Chancel of every ſuch Church, Chapel, or other ſuch place of publick Prayer; And that all Rails whatſoever, which have been erected near to, before, or about any Altar, or Communion Table, in any of the ſaid Churches or Chapels, or other ſuch place of publick Prayer as aforeſaid, ſhall before the ſaid day be likewiſe taken away; And the Chancel ground of every ſuch Church or Chapel, or other place of publick Prayer, which hath been within twenty years laſt paſt, raiſed for any Altar or Communion Table to ſtand upon, ſhall before the ſaid day be laid down, and levelled as the ſame was before the ſaid twenty years laſt paſt; And that all Tapers, Candleſticks, and Baſons, ſhall before the ſaid day be removed and taken away from the Communion Table in every ſuch Church, Chapel, or other place of publick Prayer, and neither the ſame, nor any ſuch like ſhall be uſed about the ſame at any time after the ſaid day; And that all Crucifixes, Croſſes, and all Images and Pictures of any one or more Perſons of the Trinity, or of the Virgin* Mary, *and all other Images and Pictures of Saints, or Superſtitious Inſcriptions in, or upon all and every the ſaid Churches or Chapels, or other places of publick Prayer, Church-yards, or other places to any the ſaid Churches and Chapels, or other place of publick Prayer, belonging, or in any other open place, ſhall before the ſaid firſt day of* November *be taken away and Defaced, and none of the like hereafter permitted in any ſuch Church or Chapel, or other places as aforeſaid.*

And be it further Ordain'd, That all and every ſuch removal of the ſaid Altars, Tables of Stone, Communion Tables, Tapers, Candleſticks and Baſons, Crucifixes and Croſſes, Images and Pictures as aforeſaid, taking away of the ſaid Rails, levelling of the ſaid

19 Caroli.

ſaid grounds, ſhall be done and performed, and the Walls, Windows, Grounds, and other places which ſhall be broken, impaired or altered by any the means aforeſaid, ſhall be made up and repaired in good and ſufficient manner, in all and every of the ſaid Pariſh-Churches or Chappels, or uſual places of publick Prayer belonging to any Pariſh, by the Churchwarden, or Churchwardens of every ſuch Pariſh for the time being reſpectively; and in any Cathedral or Collegiate Church or Chappel, by the Dean or Sub-Dean, or other chief Officer of every ſuch Church or Chappel for the time being; and in the Univerſities, by the ſeveral Heads and Governours of every Colledge or Hall reſpectively; and in the ſeveral Inns of Court, by the Benchers *and* Readers *of every of the ſame reſpectively, at the Coſt and Charges of all and every ſuch Perſon or Perſons, Body Politick or Corporate, or Pariſhioners of every Pariſh reſpectively, to whom the Charge of the Repair of any ſuch Church, Chappel, Chancel, or place of publick Prayer, or other Part of ſuch Church or Chappel, or place of publick Prayer, doth or ſhall belong: And in caſe Default be made in any of the Premiſſes, by any of the Perſon or Perſons thereunto appointed by this Ordinance, from and after the ſaid firſt day of* November, *which ſhall be in the Year of our Lord God* 1643. *That then every ſuch Perſon or Perſons ſo making Default, ſhall for every ſuch Neglect or Default, by the ſpace of Twenty Days, forfeit and loſe Forty Shillings to the uſe of the Poor of the ſaid Pariſh wherein ſuch Default ſhall be made; or if it be out of any Pariſh, then to the uſe of the Poor of ſuch Pariſh whoſe Church is or ſhall be neareſt to the Church or Chappel, or other place of publick Prayer, where ſuch Default ſhall be made; and if Default ſhall be made after the firſt Day of* December, *which ſhall be in the ſaid Year* 1643. *then any one Juſtice of the Peace of the County, City, or Town, where ſuch Default ſhall be made, upon Information thereof to him to be given, ſhall cauſe or procure the Premiſſes to be performed, according to the Tenor of this Ordinance, at the Coſt and Charges of ſuch Perſon or Perſons, Bodies Politick or Corporate, or Inhabitants in every Pariſh, who are appointed by this Ordinance to bear the ſame.*

Provided that this Ordinance, or any thing therein contained, ſhall not extend to any Image, Picture, or Coat of Arms in Glaſs, Stone, or otherwiſe; in any Church, Chappel, Church-yard, or place of publick Prayer as aforeſaid, ſet up or graven only for a Monument of any King, Prince, or Nobleman, or other dead Perſon which hath not been commonly reputed or taken for a Saint: But that all ſuch Images, Pictures, and Coats of Arms, may ſtand and continue in like manner and form, as if this Ordinance had never been made.

H. Elſynge, Cler. Parl. D. Com.

Die Lunæ, 28 Auguſti, 1643.

ORdered by the Lords and Commons aſſembled in Parliament, That this Ordinance be forthwith Printed; and divulged and diſperſed through the ſeveral and reſpective Counties, Cities, and Towns, by the ſeveral and reſpective Knights and Burgeſſes.

H. Elſynge, Cler. Parl. D. Com.

Die Martis, 5 Septemb. 1643.

An Ordinance of the Lords and Commons in Parliament, to prevent the coming over of the Iriſh Rebels.

WHereas very many of the Iriſh Rebels have lately come over into this Kingdom, and joyned themſelves with the Army againſt the Parliament, where they have exerciſed their accuſtomed Cruelties upon the King's Proteſtant Subjects here; and ſtill endeavour to deſtroy all thoſe that are well-affected to the Religion and Liberty of this Nation: And whereas the miſerable Condition of that Kingdom of Ireland *is ſuch, that if many Soldiers of the Engliſh Army there ſhould at this time come over hither, and deſert that Service, it would in all probability be the utter loſing of that Kingdom, and the delivering up of all the Proteſtants there, into the hands of thoſe inhumane cruel Rebels. For the preventing of which Miſchiefs and Inconveniences, it is Ordered and Ordained by the Lords and Commons aſſembled in Parliament, That from henceforth no Ship, Bark, or other Veſſel, do bring, convey or tranſport any Perſon or Perſons whatſoever, out of the Kingdom of* Ireland *into this Kingdom of* England, *or Dominion of* Wales, *(except Merchants, and ſuch as ſhall come upon ſpecial Buſineſs to the Parliament, either from the Lords Juſtices of* Ireland, *or from ſome chief Commander in the*

An. 1643.

the Engliſh or Scottiſh Armies there, or that ſhall have Licenſe to be Tranſported from thence hither by both Houſes of Parliament) upon the Penalty of Forfeiture of ſuch Ship, Bark, or other Veſſel, with her Tackle and Furniture, in which any ſuch Perſon or Perſons ſhall be ſo brought over or tranſported. And it is hereby Ordained and Declared, That whoſoever ſhall firſt ſeize and take any ſuch Ship, Bark or Veſſel, in which there ſhall be any Perſon or Perſons paſſing from Ireland *into this Kingdom, (other than ſuch as are above excepted) ſuch Perſons ſo ſeizing ſhall have the Moyety of ſuch Ship, Bark, or other Veſſel, with her Tackle and Furniture; and are to be accomptable to the State for the other Moyety, whereof they are to give ſpeedy Notice unto the Committee of the Houſe of Commons for the Navy. And for whatſoever any Perſon ſhall do in purſuance of this Ordinance, they ſhall be ſaved harmleſs by the Power of both Houſes of Parliament.*

An Order of the Commons touching ſcandalous Miniſters, *Sept.* 6. 1643.

IT is this day Ordered by the Commons Houſe of Parliament, That the Deputy-Lieutenants and Committees of Parliament in any County of this Kingdom, or any Five or more of them, ſhall have Power to take the Examinations of all Witneſſes againſt any Miniſters that are ſcandalous, either in Life or Doctrine, or any others that have deſerted their Cures, and joyned themſelves actually with, and are aſſiſtant unto the Forces raiſed againſt the Parliament; and to that end, that thoſe who will appear may have the Witneſſes examined in their Preſence, It is farther Ordered, That Summons (with ſufficient Warning of the time and place, when and where the Charge againſt them ſhall be proved) be either given to their Perſons, or left at their Houſes: And (if they deſire it) they ſhall have a Copy of the Articles againſt them, with a convenient time to give in their Anſwers under their Hands; which, together with their Charge, and the Proofs upon every particular of it, the ſaid Deputy-Lieutenants and Committees of Parliament ſhall ſend up to the Committees of this Houſe appointed for to provide for Plundered Miniſters; which Committee ſhall from time to time tranſmit them to this Houſe.

His Majeſties Declaration to all his loving Subjects in the County of *Cornwal*, 10 *Sept.* 1643.

CHARLES R.

WE are ſo highly ſenſible of the extraordinary Merit of Our County of Cornwal, *of their Zeal for the Defence of Our Perſon and the juſt Rights of Our Crown, (in a time when We could contribute ſo little to Our own Defence, or to their Aſſiſtance, in a time when not only no Reward appeared, but great and probable Dangers threatned Obedience and Loyalty) of their great and eminent Courage and Patience in their indefatigable Proſecution of their great Work againſt ſo potent an Enemy, backt with ſo ſtrong, rich, and populous Cities, and ſo Plentifully furniſht with Men, Arms, Money, Ammunition and Proviſions of all kinds; and of the wonderful Succeſs with which it hath pleaſed Almighty God (though with the loſs of ſome eminent Perſons, who ſhall never be forgotten by Us) to reward their Loyalty and Patience, by many ſtrange Victories over their and Our Enemies, in deſpite of all human probability, and all imaginable diſadvantages: That as We cannot be forgetful of ſo great Deſerts, ſo We cannot but deſire to publiſh to the World, and perpetuate to all Time the Memory of theſe Their Merits, and of Our Acceptance of the ſame. And to that end We do hereby Render Our Royal Thanks to that Our County, in the moſt publick and laſting manner we can deviſe, commanding Copies hereof to be printed and Publiſhed, and one of them to be read in every Church and Chappel therein, and to be kept for ever as a Record in the ſame; That as long as the Hiſtory of theſe Times and this Nation ſhall continue, the Memory of how much that County hath merited from Us and Our Crown, may be derived with it to Poſterity.*

Given at Our Camp at *Sudeley Caſtle*, the Tenth of *September*, 1643.

The

19 *Caroli.*

Sept. 12 Judge *Berkley's* Sentence.

The Lords at *Weſtminſter*, ſitting in their Robes, ſent a Meſſage this day to the Commons to come up unto them; for that they were proceeding to Judgment againſt Judge *Berkly*: Accordingly they went up with their Speaker, and the Priſoner being called to the Bar, the Lord *Gray* of *Wark*, Speaker of the Houſe of Peers, *pro Tempore*, declared, *That whereas the Commons had formerly Impeached the Priſoner at the Bar, upon ſundry Articles of High-Treaſon, and other high Crimes and Miſdemeanors; and that by ſufficient Proofs he was, by their Lordſhips, found guilty of ſundry high Miſdemeanors, that Houſe had at that time determined to proceed to Judgment, only upon that part of his Charge, touching his extrajudicial Opinions in the caſe of Ship-Money, and to take further time upon thoſe other Articles alledged againſt him.* And then after reading his Charge, touching the ſaid buſineſs of Ship-Money, Judgment was pronounced againſt him.

1. *That the ſaid Judge* Berkly *be Fined* 20000 *l. and Pay the ſame to the Treaſurers at* Guild-Hall, *within Six Weeks next, to be diſpoſed of as Both Houſes ſhall appoint, and upon default, the ſame to be Levied on his Eſtate.*

2. *That he be for the preſent, diſabled, and made incapable for the future, of all Honours, and from bearing Office in any Court of Judicature in this Kingdom, or any other place of Truſt.*

3. *That he ſtand committed to the* Tower, *during the Pleaſure of the Houſe.*

An Ordinance for the due and orderly Receiving and Collecting of the Kings, Queens, and Princes Revenue, and the Arrearages thereof.

Ordinance for ſeizing the Kings, Queens, and Princes Revenue, *Sept.* 21. 1643.

THE Lords and Commons Aſſembled in Parliament, taking into their ſerious Conſiderations, the many heavy Preſſures and moſt grievous Calamities which now lye upon this Kingdom, by this bloody and unnatural War raiſed againſt the Parliament: And that notwithſtanding all their faithful and conſtant Endeavors for the preſerving of His Majeſty and the whole Kingdom, from the moſt cruel and endleſs deſigns of Papiſts, Delinquents, and Ill-affected Perſons; yet their Counſels and Practices are ſtill ſo prevalent with His Majeſty, and the Hearts of many People ſo miſled and beguiled by their falſe Pretences and ſpecious Inſinuations, that nothing can be expected but the extirpation and final Subverſion of our Religion, Laws, and Liberties, unleſs GOD *of his infinite Mercy prevent it, and incline His Majeſty's Heart to the faithful Advice of His Great Council of Parliament, which hath ever been, and is (under* GOD) *the chief ſupport of His Royal Crown and Dignity, and the ſecurity of all that we have or can enjoy. And, for that it is found by woful Experience, that divers Ill-affected Perſons, by the pretence of His Majeſty's Authority, have, and do ſtill daily ſeize upon divers and ſundry great Sums of Money, raiſed and collected in divers parts of this Kingdom by Acts and Ordinances of Parliament, for the Relief of the poor diſtreſſed Proteſtants in* Ireland, *the ſuppreſſing and ſubduing of thoſe moſt barbarous and bloody Rebels, and for defence of this Kingdom and Parliament, and do divert and employ the ſame, and likewiſe His Majeſty's Revenue, and all other Moneys of the well-affected Perſons whatſoever, by rapine or violence they can lay hands on; to the fomenting, nouriſhing, and maintaining of theſe miſerable Diſtractions, and unnatural War: And the Lords and Commons omitting no opportunity, nor neglecting any fitting means which they conceived might divert the ſaid War here, ſo violently preſſed forwards by Papiſts, Delinquents, Ill-affected Perſons, and the Rebels of* Ireland, *did formerly ordain, that the Officers of the Receipt, Court of Wards, and Liveries, Receivers, and others, ſhould not repair unto* Oxford, *but attend their Service here, in the uſual places; yet in contempt of the ſame, and other* Ordinances, *ſome Officers*

An. 1643.

cers are gone to Oxford, *divers convey ſundry Sums of Money thither, and others neglect their Service, to the great prejudice and diſſervice of the Common-wealth: And to the intent that His Majeſties Revenue might no more be miſapplied; and that the ſame may be imployed for the good of His Majeſty, and the Common-wealth: The Lords and Commons therefore do ordain, and be it ordained by the ſaid Lords and Commons, that all His Majeſties, the Queens, and Princes Revenue, of what nature or kind ſoever, certain or caſual, within the view or ſurvey of the Court of Exchequer, Court of Wards and Liveries, Dutchy of* Lancaſter, *Dutchy of* Cornwal, *or in any other Court or Juriſdiction whatſoever, within this Realm of* England, *Dominion of* Wales, *and Port and Town of* Berwick, *together with all the Arrears thereof, and all other Debts and Sums of Money whatſoever, any way due to His Majeſty, the Queen, or Prince, ſhall be ſeized upon, and received by the Perſons hereafter named, or ſuch others as at any time hereafter ſhall be appointed, and nominated by the Committee for the Revenue, which ſaid Perſons or Receivers in each ſeveral County or Counties, Cities or places for which they are or ſhall be appointed reſpectively, are hereby authorized and required by themſelves, their Agents and Deputies, to take and ſeize into their hands and cuſtodies all and every His Majeſties, the Queens, and Princes, Honours, Mannors, Lands, Tenements, and Hereditaments, Rents, Arrearages of Rents, Revenues and Profits whatſoever, within the ſaid Realm of* England, *Dominion of* Wales, *and Port and Town of* Berwick, *and to let, ſet, and demiſe the ſame, or any part thereof, from Year to Year; and ſhall have power to call before them all Stewards, Auditors, Receivers, Bailiffs, Collectors, or any other Officer or Officers whatſoever, and to ſend for or take any Books of Accounts, Rentals, Copies of Court-roll, or any other Writings, touching the Premiſſes, and thereby, and by all other ways and means which to them ſhall ſeem meet and neceſſary to inform themſelves of the ſaid Revenues, Debts, and Arrears thereof, and of all things concerning the ſame, and to appoint any ſubordinate Officer or Officers and Miniſters under them, for the better expediting of this Service; which ſaid ſubordinate Officers and Miniſters are hereby authorized and enjoyned to perform and execute all and every their Commands reſpectively, in and concerning the Premiſes; and ſhall have ſuch Allowances for their Pains and Charges in that behalf, as the reſpective Perſons or Receivers appointed for the ſeveral Counties, Cities, or Places ſhall think fit, the ſame being approved of by the Committee for the Revenue: And that all ſuch Stewards, Auditors, Receivers, Bayliffs, Collectors, or any other Officer or Officers whatſoever, which have not ſubmitted themſelves to the Commands and Directions of any former Ordinance of Parliament, or to the Committee for the Revenue; and likewiſe all other ſuch Officers, which ſhall not yield obedience to this Ordinance of Parliament, or to the Committee for the Revenue, ſhall ſtand ſequeſtred from their ſeveral Offices reſpectively, and from the receiving and enjoying any Profit or Benefit of or for the ſame: And the Committee for the Revenue, or any five ſhall have Power, and are hereby authorized to nominate and appoint other meet, fit, and truſty Perſons to ſupply and execute thoſe Offices and Places which are or ſhall be ſequeſtred as aforeſaid; and the ſaid Perſons or Receivers nominated, or to be nominated, as aforeſaid, their Agents and Deputies within their ſeveral limits reſpectively, ſhall have Power, and are hereby authorized and required to enter into all and every His Majeſties, the Queens and Princes Honours, Mannors, Lands, Tenements and Hereditaments, Courts and Offices, and to receive ſuch Rents, Arrearages of Rents, Herriots, Iſſues, Profits, Sums of Money, Debts, and other Duties, as are or ſhall be due and payable for or out of the ſame: And the Fee-Farmers, Farmers, and the Tenants thereof, Officers and all others, are required to pay the ſame accordingly, to the ſaid Perſons or Receivers, or to ſuch other Officers or Receivers as ſhall be thereunto appointed, by vertue, and according to the direction of this Ordinance; and to no other Perſon whatſoever. And the ſaid Fee-Farmers, Farmers, Tenants, and all others which ſhall pay any Rent, Sum of Money, or other thing, according to this Ordnance, ſhall be protected and ſaved harmleſs from any Forfeiture, Penalty, or Damage, which he or they may incur by not payment of his or their ſaid Rent, Sum of Money or other thing, according to his or their Grant, Leaſe, Copy, or other Agreement, by the Power and Authority of Both Houſes of Parliament. And if any Sheriff, Receiver, Collector, or any other Officer of any Court whatſoever, ſhall refuſe to pay the Moneys from time to time remaining in their hands, or any Fee-Farmer, Farmer, or Tenant, ſhall refuſe to pay his or their Rents, or any others ſhall refuſe to pay their particular Debts to the hands of the ſaid Perſons or Receivers in the ſeveral and reſpective Counties, Cities, and Places, at ſuch times as the ſame ſhall become due and payable, or to the Receiver-General hereby appointed; then the ſaid Perſons or Receivers for the ſeveral Counties, Cities, and Places, ſhall have power to diſtrain for the*

the same, and to take all other advantages for non-payment thereof, as His Majesty, the Queen and Prince, their Officers and Ministers might have done; and they shall have power to Sue for and recover any Debt, Sum of Money, or other Duty owing to His Majesty, the Queen or Prince, by any Person whatsoever, and also to give Discharges and Acquittances for any Rent, Sum of Money, Debts, Duty, or other thing, which they shall receive by Vertue of this Ordinance, *and shall be accomptable from time to time for the same, and for all such other things as shall be had, received, or taken by them, their Agents or Deputies, and for all their Receipts and Payments, and other Acts for or in respect of the Premises to the Committee for the Revenue, or to such as they shall appoint; and shall pay in, from time to time all such Sums of Money as they, or any of them shall receive by vertue of this* Ordinance, *unto* Thomas Faulconbridge *Esq; at* Westminster (*who is hereby constituted and appointed Receiver-General of all such Sums of Money as shall be received or raised by vertue of this* Ordinance) *and shall be from time to time subject to the further Orders and Directions of the Committee for the Revenue: And the Acquittances of the said Receiver-General, and of the said Persons or Receivers in the several Counties, Cities, and Places, Courts and Offices respectively, shall be as good and sufficient a discharge for the Sums of Money therein contained, as if the same were paid into the receipt of the Exchequer, or into any other usual Court or Place. And the Barons of the Exchequer, and all other Officers and Ministers of the same, and other Courts and places respectively, are hereby required and authorized to give full allowances thereof; and thereupon to make forth* quietus ests, *and other Discharges according to the course and custom of the several Courts and Places. And the said Persons or Receivers, their Agents and Deputies, shall have power to call to their aid and assistance the Trained-Bands, Volunteers, or other Forces, and any other Officer or Minister of Justice, of or within their several Counties, Cities, or Places respectively, or any other Person or Persons dwelling in or near the Place, to compel obedience to this* Ordinance, *where any resistance shall be made, or as oft as need shall require, and shall have power to punish such Person or Persons as they shall find refractory, negligent, or faulty in the said Service, by Fine and Imprisonment, such Fine not exceeding the Sum of Twenty Pounds, or to certifie their Names to the Committee for the Revenue, who shall have power to send for them, or any of them, and commit them to such Prisons and Places as they shall think fit, until they shall conform themselves to this present* Ordinance of Parliament. *And the said Trained-Bands, Volunteers, and other Forces, their Commanders and Officers, and also the several Constables, Headboroughs, and other Officers and Persons within their several and respective limits, are hereby required and enjoyned to be aiding and assisting to the said Persons or Receivers, their Agents and Deputies, as oft as they shall be thereunto required.*

And it is further Ordained *and declared by the said Lords and Commons, That all and every the said Revenues, Rents, Profits, Debts, and Sums of Money whatsoever, shall be imployed to and for such uses and services as are or shall be directed by the Committee for the Revenue.*

And it is likewise further Ordained, *That all and every the said Persons or Receivers, Receiver-General, Auditors, and other Officers and Ministers imployed in this Service by the Committee for the Revenue, or any Five of them, shall have such Allowances for their necessary Charges and Pains in and about the Premises, as the said Committee shall think fit; and that as well they as all others who shall be imployed in the said Service, or shall do any thing in execution or performance of this* Ordinance, *shall be therein protected and saved harmless by the Power and Authority of Both the said Houses.*

And lastly, it is Ordained, *That the said Committee for the Revenue, or any Five of them, shall have power, and be hereby enabled to do and execute any other act or acts, thing or things, they shall think fit for the better and more speedy collecting, levying, advancing and receiving of all and every the said Revenues, Debts, and Sums of Money before-mentioned.*

Provided, and be it further Ordained, *That all and singular such Revenues, Rents, Issues, Fees, Profits, and Sums of Money and Allowances whatsoever, as have heretofore been, and now ought to be paid and disposed unto, or for the maintenance of any College or Hospital (whose Revenues, or any part thereof, have not been imployed for maintenance of the War against the Parliament) Grammar-School, or Scholars, or for, or towards the reparation of any Church, Chappel, High-way, Cawse-way, Bridge, School-House, or other Charitable use, which are chargeable upon, or ought to issue out of, or be paid for, or in respect of any the Honors, Mannors, Lands, Tenements, or Hereditaments, Revenues, or Profits aforesaid, shall be and continue to be paid, disposed, and allowed of, as they were and have been heretofore.*

An. 1643.

By the King.

A Proclamation forbidding all the Tenants, or Debtors, of ſuch who are in actual and open Rebellion; or who adhere to, or aſſiſt the Rebels, to pay any Rents, or Debts, to ſuch Perſons or any of them.

His Majeſties Proclamation forbidding Rents to be paid to any in Rebellion, *Sept.* 25. 1643.

WHereas We have by Our ſeveral Proclamations, bearing date the eighth day of March *laſt, and the ſeventh day of* April *laſt, Publiſhed Our Reſolution to Grant Our Commiſſions for the Seizing of the Goods, and Sequeſtring the Eſtates of all ſuch Perſons who are in Rebellion, or do Aſſiſt thoſe who are, to the Intent that ſuch their Goods and Rents may be ſafely Depoſited, until ſuch time as the Offenders can be brought to Legal Tryal, which ſhall ſpeedily proceed againſt them as ſoon as they can be Apprehended, and delivered into the Hands of Juſtice; And we did therefore Command all Perſons, who were any ways Indebted unto, and all the ſeveral Tenants of all ſuch Perſons to forbear to pay any Rents, or Debts, due to the ſaid ſeveral Perſons, but to detain the ſame in their Hands towards the maintenance of the Peace of the ſeveral Counties, and the Reparation of ſuch Men who have ſuffered by the Violence of the Rebels; Since which time it hath pleaſed God ſo far, and ſo eminently to Bleſs Our Armies, that We have again reduced ſeveral Counties to Our Obedience, which were for the greateſt part if not totally poſſeſſed by the Rebels; And Conſidering therefore, that it is very probable Our ſaid Proclamations were kept from the Knowledge of Our good Subjects of thoſe Counties, We have once more thought fit to publiſh the ſame, and do hereby declare to all Our Loving Subjects whatſoever, that as We have already Iſſued ſuch Our Commiſſions into ſeveral Counties, in which We give Authority to the Perſons truſted by Us, to diſtinguiſh between thoſe who have been active and malicious Contrivers of this Rebellion, and thoſe who have been through weakneſs or fear ſeduced by them; ſo We will daily Iſſue out other Commiſſions to the ſame purpoſe: And We do ſtraitly Charge and Command all Our Loving Subjects of what Condition ſoever, as they will anſwer their Diſobedience at their utmoſt Perils; That they pay no Rents, or Debts, which now are, or hereafter ſhall grow due to any Perſons, who either are, or lately have been in Rebellion, (and have not ſince ſubmitted themſelves to Us) or to any ſuch who adhere to or aſſiſt thoſe who are in Rebellion; And that they preſume not to receive any Goods, Money, or Stock, in truſt for any ſuch Perſons, but that they faithfully Account, and Pay the ſame to ſuch Perſons as either are, or ſhall be Intruſted by Us, for that purpoſe: And We ſhall proceed againſt all ſuch Perſons, who ſhall willfully and peremptorily Diſobey Us herein, as againſt Perſons notoriouſly Diſaffected to Us, and Our Service. And Our Pleaſure is, That this Our Proclamation be Read in all Churches and Chapels through this Our Kingdom.*

Given at Our Court at *Oxford*, the 25th day of *September*, in the Nineteenth Year of Our Reign.

God Save the King.

By the King.

A Proclamation for a General Faſt to be held throughout this Kingdom, on the Second *Friday* in every Month.

Proclamation for a Monthly Faſt, *Octob.* 5. 1643.

WHen a General Faſt was firſt prepounded unto Us, in Contemplation of the Miſeries of Our Kingdom of Ireland, *We readily gave Our Conſent unto it; and in Our Court, and in Our Perſon, have duly obſerved it as a Religious Duty fit to be Exerciz'd in a time of common Calamity. But when We have ſeen what ill uſe hath been made of thoſe publick Meetings, under the pretence of Religion, in Pulpits, and Prayers and Sermons of many Seditious Lecturers, to ſtir up and continue the Rebellion raiſed againſt Us within this Kingdom; and that thoſe who firſt moved, and ſeemed to affect the Relief of Our Diſtreſſed Subjects of* Ireland, *have deſerted the care thereof, and diverted the Support and Preſervation of that Kingdom, to the Deſtruction of Us, and of this Kingdom of* England. *We have thought it fit to Command, That ſuch an Hypo-*

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19 Car. II.

critical Fast to the Dishonour of God, and the Slander of true Religion, be no longer continued and countenanced by Our Authority, which hath been too long continued already to such False and Traiterous Ends; And yet We being desirous, (as by Our Duty to Almighty God We are bound) by all possible means to express Our own Humiliation, and the Humiliation of Our People, for Our own Sins, and the Sins of this Nation, (as We have great cause) are resolved to continue a Monthly Fast, but not on the day formerly appointed, and so much abused by those who are in Rebellion against Us, by using it as a principal Engine to their own Designs. We do therefore hereby Command, that from henceforth no Fasts or publick Meetings under that Name be held on the last Wednesday *of the Month in any part of this Our Kingdom of* England, *as for many Months it hath been, nor upon any other day than as hereby is appointed by Us, which We are well assured none of our Subjects may, or ought to do, without much less against Our Command; but instead thereof, We do expressly Charge and Command, That in all Churches and Chapels in all parts of this Our Kingdom of* England, *and Dominion of* Wales, *there be a Solemn Fast held, and Religiously observed on the second* Friday *in every Month, with publick Prayers to God, and Preaching in all places where it may be had; when and where We may all, both Prince and People, as one Man, earnestly pour out Our Prayers to God, for the diverting of his heavy Judgments from Us, for the continuing of his Gracious Protection over Us, and this Nation; for the avoiding of all Malicious Practices against Us, and the setling and establishing of a happy Peace amongst Us: And to the end that with one Heart We may perform so Religious an Exercise, We have caused Devout Forms of Prayer to be Composed and Printed, and intend to disperse them into all the parts of this Our Kingdom; and do Command, That they be used in all Churches and Chapels, at the solemn and publick Meetings. And if thus We shall heartily and unfeignedly apply Our Selves to Our good God, and gracious Father, whom We have Offended, and Praise him for his many and miraculous Deliverances past, We may with Comfort and Confidence Hope, that He will in Mercy look upon Us, and be reconciled unto Us.*

Given at Our Court at *Oxford* the fifth day of *October*, in the Nineteenth year of Our Reign.

God Save the King.

By the King.

A Proclamation to Restrain all Trade or Commerce with the City of *London*, and some other Cities and Towns now in actual Rebellion.

A Second Proclamation forbidding Trade with *London*, &c. *Octob.* 17. 1643.

HIS Majesty having with an unwearied Patience, hitherto expected that the City of London, *and the Citizens and Inhabitants thereof, should at last return to their Obedience; and having used all the Endeavours He could to Reduce them thereunto; but finding that by the Malice of their Misleaders, they are so obdurate, that the very Name of Peace and Reconciliation is with them accounted a Crime; and that that City is both the Seat of Rebellion, and the pattern to all ill-affected Subjects of the Kingdom, by whose Example and Assistance, some other Cities and Towns do also stand out against His Majesty in open Rebellion, not only to the Disturbance, but even to the Destruction of the whole Kingdom, if God in His Mercy do not timely prevent it. His Majesty therefore by His Royal Proclamation, dated at* Oxford *the seventh day of* July *now last past, for the many Reasons in that Proclamation mentioned, did prohibit all Persons, with any of their Goods, Victuals, or Merchandize whatsoever, to Travel to, or for, the City of* London, *or the Suburbs thereof, without His Majesties express License for the same, under His Sign Manual, under the Pains and Penalties in the said Proclamation mentioned; And His Majesty now perceiving, that notwithstanding that Proclamation, that Rebellious City, by continuing their Trade, as well at home, as also from Foreign Parts, do hereby drain their Monies from all other parts of the Kingdom, and Traiterously dispose the same to the maintenance of this Unnatural War, against their Sovereign and Fellow Subjects; and that many of the Freemen and Citizens of that City, and some of the Aldermen and Trained Bands of the City, in their own Persons, have lately gone from the said City to Assail His Majesty, and to Fight with Him; and were in the late Battel near* Newbury; *and that many of the said City are involuntarily compelled to take up Arms, and to expose their Lives to the Slaughter, for the maintenance of the Malice of*

An. 1643.

a few; and the fuel for all this Unnatural Fire is taken from the City, who ſpare neither their own Perſons, Eſtates or Fortunes, nor the Perſons or Eſtates of the Inhabitants of the Neighbouring Counties, but either perſuade or compel them to contribute to this horrid and barbarous War. Now His Majeſty being moved with a juſt Indignation againſt that City, and ſome few other Cities and Towns, who in like manner do obſtinately ſtand out in Rebellion, doth hereby prohibite all Perſons, and ſtraitly Charge and Command them upon the ſevereſt Penalties and Puniſhments, which by the Law can be inflicted upon them as Traitors, Aiders, and Aſſiſters unto Traitors, that from and after the time of Publiſhing this Proclamation, they, or any of them, do not preſume without the Kings ſpecial Warrant under His Sign Manual, either by Land or Water, to drive, carry, or convey any manner of Victuals, alive or dead, or any ſort of Proviſion for Man or Horſe; Or any Goods or Merchandize of any kind whatſoever, directly or indirectly, or willfully ſuffer the ſame to be carried, or conveyed unto, or from, the City of London, *or City of* Weſtminſter, *or Suburbs thereof; Or to, or from, the Cities of* Gloceſter *and* Coventry; *Or to, or from, the Towns of* Kingſton upon Hull, Warwick, Northampton, Portſmouth, Southampton, Poole, *and* Lime Regis, *or any of them; Or to, or from, any other Cities, or Towns within this Kingdom, being in Rebellion againſt His Majeſty, until they, and every of them reſpectively, ſhall return to their Obedience; Nor do preſume to Trade, or Traffick, or Buy or Sell with the Citizens or Townſmen of, or in the ſaid Cities, or Towns, or any of them, or any other Perſons Inhabiting, or Reſiding in any of the ſaid Cities, or Towns, until the ſaid Cities and Towns reſpectively ſhall conform themſelves to their Loyalty and due Obedience: And His Majeſty doth further Declare His Pleaſure to be, That no Subject of His Kingdom of* Scotland, *or of any Foreign Kingdom or State in Amity with him, directly or indirectly, ſhall bring any Ammunition, Victuals, Goods, or Merchandize whatſoever, unto, or for, the ſaid City of* London, *or any other Port, or place of this Kingdom, which doth obſtinately ſtand out in Rebellion againſt His Majeſty, until they ſhall Return to His Majeſties Obedience, but ſhall apply themſelves and their Trade to ſuch other Ports and Places of this His Kingdom, which do continue in their Obedience, which His Majeſty with all the ſpeed he can, purpoſeth to ſignifie to His Kingdom of* Scotland, *and by His Ambaſſadors, Agents, or Miniſters, to the Kings, Princes, and States of thoſe Foreign Parts reſpectively; And if any of the Subjects of His Kingdom of* Scotland, *or any of thoſe Kings or States beyond the Seas ſhall do otherwiſe, contrary to His Majeſties Pleaſure declared, His Majeſty ſhall Eſteem of all ſuch, as of Perſons who adhere unto, and maintain His Majeſties Subjects in their Rebellion: Yet, leſt any Merchant Strangers, at Unawares, not having knowledge before, come, or ſend, into the Port of* London, *or other the Ports aforeſaid, and ſo might incur the danger whereof they are by theſe Preſents forewarned; His Majeſty doth further Declare, That He will give Direction for the Seizure only of ſuch Foreign Goods, Ships, and Merchandize, and not diſpoſe of the ſame as Forfeited, or Confiſcate, until it ſhall be firſt Examined, whether they had knowledge of this His Proclamation: And His Majeſty doth further Declare His Pleaſure and Command to be, That His Armies, or any part thereof, or any other of His Loving Subjects, may, and ſhall, ſeize all ſuch Goods, Victuals, and Merchandize to his Uſe, which ſhall be in paſſing unto, or from, any of the ſaid Cities or Towns, (without the Kings ſpecial Warrant as aforeſaid) and to bring the ſame to his next Gariſon, or to the chief Commander of that part of His Army, who ſhall be next or near to the place of ſuch Seizure, out of which Goods, thoſe who ſhall Seize the ſame, ſhall be Rewarded with a third part thereof, and the reſt ſhall upon Account be converted towards the maintenance of His Majeſties Army: And His Majeſty doth further Command, That no Perſon whatſoever, being out of the Cities and Towns before-mentioned, do pay, or convey any Money, or other Satisfaction for any Rent, Debt, or other Duty Due, or Payable to any Perſon, or for the Uſe of any Perſon, Reſiding or Abiding in the ſaid City of* London, *or any other of the ſaid Cities or Towns, (ſo as ſuch Perſons be not actually in Priſon) whilſt thoſe Cities and Towns reſpectively ſhall be Aiders and Aſſiſters to them who are in this Rebellion; And His Majeſty doth hereby Declare, That He is Reſolved to Require a ſtrict Account both of this and of the ſaid former Proclamation. And His Majeſty doth laſtly Declare, and would have all His good Subjects to underſtand Him thus, That although He hath been beyond Meaſure provoked, and that this Rebellion is Tranſcendent in many Circumſtances thereof, even beyond all former Examples; yet He is ſo much a Lover of the Peace and Proſperity of His good Subjects, that as he hath been ever ready to extend His Mercy, rather than to exerciſe His Juſtice, ſo he can yet ſpare that City of* London, *(which he hath eſteemed and favoured as the Seat of His Empire) and the other Cities and Towns now in Rebellion againſt Him, if they ſhall ſpeedily ſubmit themſelves, and*

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19 Caroli.

return to that Obedience which becometh dutiful Subjects, and not perſiſt any longer in their Rebellion, and ſhall alſo deliver up thoſe Incendiaries to the Hand of Juſtice, to be proceeded againſt according to the known Laws of the Land, whom His Majeſty by former Proclamations or Declarations hath by Name excepted from His Offer of Grace and Pardon.

Given at Our Court at *Oxford*, the Seventeenth Day of *October*, in the Nineteenth Year of Our Reign.

God Save the King.

Die Mercurii, 18 *Octobris*, 1643.

Order of the two Houſes, that ſuch as come from *Oxford* into the Parliaments Quarters, ſhall be proceeded againſt as Spies, 18th *Octob.* 1643.

ORdered by the Lords and Commons in Parliament aſſembled, That whatſoever Perſon ſhall come from *Oxford*, or any part of the King's Army, to *London*, or the parts adjacent, or to any part of the Army under the Command of the Earl of *Eſſex*, or to any Fort or Court of Guard, kept by the Authority of both Houſes of Parliament, without the Warrant of both Houſes of Parliament, or the Lord General the Earl of *Eſſex*; ſhall be apprehended as Spies and Intelligencers, and be proceeded againſt according to the Rules and Grounds of War. And it is farther Ordered, That the like Care be taken by Water for the Apprehending of the Perſons aforeſaid: And all Captains of Guards and Officers, and all other Perſons, are required to be very diligent in Apprehending the ſaid Perſons. And it is farther Ordered, That this Order be Printed and Publiſhed, and ſent to the ſeveral Courts of Guard, both by Water and Land.

Novemb. 5th, The Earl of *Holland* leaves *Oxford*, and comes back again to the Parliament.

The Earl of *Holland*'s Declaration, 1643.

The Earl of *Holland* having for ſome time left *Weſtminſter*, and betaken himſelf to the Court at *Oxford*, came this day privately from thence, and at *Uxbridge* (a Parliament Gariſon) had a Guard put upon him; and ſo was ſent up to *London*, and Examined by a Committee of both Houſes; and afterwards ſet forth the following Declaration in Print.

A Declaration *made to the Kingdom by* Henry *Earl of* Holland.

I Have not forborn, either out of *Forgetfulneſs*, or *Guiltineſs*, to ſend forth theſe Expreſſions thus publickly; though I confeſs they are of a Nature, in the which I have ſo little Dexterity, as I may rather give *Advantage* to ſuch as would be ready to ſeek it, than Satisfaction to thoſe that would be pleaſed to take it.

I was willing to take this *National Covenant*, that binds up theſe Kingdoms in ſuch an Unity, and in ſo happy an Agreement; and likewiſe to paſs through any Trial, That ſo my Actions might be laid open before this Diſcourſe, that thereby it might find the more Credit; and I do paſſionately wiſh that the Thoughts and Intentions I carried to *Oxford*, could likewiſe be ſo. Which, ſince they cannot, nor paſs by any other Conveyance, to the Knowledge of ſuch as I deſire to ſatisfie, I ſhall here freely and faithfully expreſs them.

Though I have ever, both in my Pious Duties and my natural Reaſon, wiſhed and endeavoured to ſee this Kingdom reſtored to the Comforts and Reſt of Peace, yet was I never ſuch a Seeker of it, as to deſire to find it, *without* thoſe Bleſſings we have endeavoured to procure with it, of *Truth* and *True Liberty*, agreeable to the Condition of *Free* and undejected Subjects: Yet ſuch were my *Hopes*, I confeſs, (made ſo by many publick Relations and Diſcourſes from *Oxford*,

An. 1643.

ford, as they were even formed into an *Opinion*) That upon a free and faithful Repreſentation to His Majeſty, of the ſad and deplorable Condition of His Kingdoms of *England* and *Ireland*, He might have been perſuaded to have offered even thoſe things from his own Reaſon or Wiſdom, that we for our *Neceſſity* and Conſervation have often and humbly Petition'd him for. And when this was made, not only poſſible, but probable unto me, I did conceive my ſelf not to be the *unpropereſt* Perſon to repreſent theſe things unto His Majeſty, from a long and near Relation, not only to His *Perſon*, but His *Councils*; where I may truly ſay, I have endeavoured to oppoſe all Advices that I believed could raiſe any *Miſunderſtanding* or *Diviſion* betwixt His Parliament and People. And this, I am perſuaded, hath been apparent in all my Actions, and that very clearly, (I will not ſay dangerouſly) when His Majeſty adviſed with His Council concerning the *Breaking off* the laſt Parliament. I having ever looked upon thoſe Reſolutions as unhappy, and dangerous ways of Government in this Kingdom.

But I ſhall ſay no more in this way, ſince, as it leads towards my ſelf, even Truths, thus looking *homewards*, may abroad be looked upon as Vanities: Otherwiſe there are many Particulars that would ſhew my *Counſels* to His Majeſty, and my *Employments* from him, to have been ever expreſſed and governed with great Fidelity to this Kingdom.

Theſe faithful and free Counſels made me hope, His Majeſty with ſome Reaſon and Juſtice might have reflected and looked back upon my uſual Advices unto him, and from thence have given me Encouragement to have purſued both my Fidelity to him and to his Kingdoms, brought to this Condition by contrary Counſels: Which finding His Majeſty not perſuaded to do, and at that time ſuch a *Ceſſation* concluded in *Ireland*, as made me ſee the *Streams* of Council died in the *Blood* of *Proteſtants*, Maſſacred in their Martyrdom there; and not only ſo, but a danger likewiſe, by too many viſible Circumſtances threatned to our *Religion* in this Kingdom.

Theſe Reaſons prevailed ſtraight, both upon my *Conſcience* and my *Judgment*, ſpeedily to *Return* unto the Parliament Streams; though by Accident, or by Breaches, they may haſtily run, even out of their own *Boſom*, yet naturally are they inclined to revert, and to look back to their Channels and long-kept Courſe again: So was it with me to return unto the *great Channel* of the Kingdom's Safety, *the Parliament*, the *Life-Stream*, that doth encompaſs, and hath Depth only to bear the *Weight* and to *buoy up* the *Honour* of this endanger'd and diſtracted Kingdom; where I faithfully Embarque my ſelf, to take thoſe *Fortunes* that God ſhall ſend me, either *with* them, or *from* them: And no *Tempeſt* ſhall have Power to make me repent my *Adventure*, both of *Life* and *Fortune*, with them; where, though I may be juſtly eſteemed but as *a Grain in a Ballance*, yet the ſmalleſt *Duſt* adds ſomething to the *Scales*. And ſince I have made an *uneven* Step, from the Unclearneſs of my Information, more than from the *Unfaithfulneſs* of my Affections or Intentions, I hope it may be look'd upon and conſider'd as the Proverb that ſaith, *Whoſoever ſtumbles, and falls not, gets rather than loſes Ground.*

And this Ground I profeſs faithfully to ſtand or fall upon; That I ſhall chooſe rather to *periſh* with the Parliament in their Intentions, to maintain our Religion, Laws, and Liberties, than to *proſper* in the abandoning of the leaſt of them. And this I bind up by the Vows of a *Chriſtian*, and a *Gentleman.*

Charles Rex.

The King's Letter to the Marquis of *Newcaſtle* about procuring Arms from *Holland* for Coals, *Nov.* 2. 1643.

RIght Truſty and Entirely Beloved Couſin and Counſellor, We Greet you well. *Whereas We have received Advice* from my Lord Goring 2. 4. 16: 14. 40. 85. 66. 58. 15. 3. 54: 22: of Holland he 57. *out.* 16. 1. 74. 36. 16. 30. 29. 48. 22. 51. *that* 35. 55. 56. *hath* 17. 1. *able men* *under* 74. *here found* 48. 42. 30. 56. 72. 25. 55. 21. 65. *that will* 19. 21. 52. 55. 2. *T y* *ſuffered* *to* 66. 38. *take if* 61. 13. *he* 31. 70. 38. *may be* 24. 18. 1. 2. 55. 4. 52. 59. 13. 15. 69.

19 Caroli.

bring *Coals* *from*
69. 41. 3. 53. 22. 58. 67. 44. 16. 48. 30. 23. 72. 17. *thither.* 2. 4. 16. 14. 66.
Newcastle to *furnish* *those Parts*
104. 13. 15. 71. 1. 18. 4. 22. 53. 24. 37. *Us from* 13. 35. 16. 24. 59. 11. 47.
of Arms *and Ammunition,*
7. 13. 23. *with not only a valuable proportion* 15. 2. 38. 40. 110. 47. 21. 51. 111.
but *so* *with* *good* *Ships*
42. 19. 13. 38. *all-* 24. 15. 61. 74. 20. 54. 13. 36. 20. 57. 16. 15. 52. 109. 24.
m'd *with Ordnance* *which*
70. are- 25. 51. 59. 27. 54. 13. 35. 123. 20. 35. 54. 34. 36. 67. 11. 3. 15.
Proposition.
12. 15. 24. 54. 44. 15. 21. *We conceive to be so much for the advantage of* 61. 70.
Our *Service*
89. 15. 18. 3. 38. 23. 50. 7. 19. 54. 43. 55. *as We have thought good not only to*
recommend *the* *same*
73. 3. 55. 44. 15. 26. 56. 22. 51. 59. 13. 35. 56. 71. 23. 47. 14. 55. 66. 13.
Y
15. 62. 31. *Our* 63. 74. 38. *Consideration* 48. 44. 15. 21. *but by these Our Letters*
to *Authorize* *You* *to*
38. 17. 15. 74. 48. 18. 13. 36. 15. 3. 53. 23. 43. 31. 16. 19. 13. 15. 38. 17.
take *speedy* *effectu-*
47. 49. 56. *some* 23. 11. 56. 55. 51. 28. & 56. 21. 55. 43. 13. 71. 40. *al* 43.
course *to* *put* *it*
15. 19. 7. 24. 56. 65. 13. 15. 38. 11. 18. 13. 72. 53. 17. 40. *in* 11. 3. 55.
present *execution* *an*
23. 56. 21. 17. 45. 55. 8. 56. 43. 19. 34. 15. 21. *either by sending* 47. 22.
absolute Answer *to* Holland
46. 48. 42. 30. 55. 59. 25. 47. 21. 0. 18. 55. 3. *in* 13. 16. 68. 35. 15. 29. 30.
power *to* *Negotiate*
48. 21. 51. *with* 112. 13. 15. 71. 21. 56. 57. 16. 13. 53. 47. 17. 73. 17. 35.
that *Service* *ing*
48. 13. 46. 24. 56. 7. 18. 53. 43. 55. *or otherwise. We hav-* 53. 21. 58. 67.
ready *given* *order* *to*
il- 3. 55. 52. 31. 38. 58. 54. 19. 55. 22. 59. 74. 15. 3. 52. 56. 7. 65. 17. 15.
Lord Goring *proceed* *his*
the 85. 58. 16. 46. 53. 22. 58. *to* 11. 4. 15. 43. 55. 56. 52. 66. *on that* 37. 53.
proposition
23. 39. 12. 3. 15. 11. 16. 24. 54. 34. 15. 21. 62. 46. *with effect. For all which these Our Letters shall be your sufficient Warrant. And so We bid you heartily farewel.*

Given at Our Court at *Oxford*, the second day of *November*, 1643.

To Our Right Trusty and entirely beloved Cousin and Counsellor, *William* Marquess of *Newcastle*, General of Our Army in the North.

The Execution of *Daniel Kniveton* as a Spie, for bringing to *London* His Majesties Proclamations, *Nov.* 27 1643.

On *Monday* the 27*th* of *November*, was Executed *Daniel Kniveton*, formerly a Prisoner in the Fleet, whence making his Escape, he went to *Oxford*, and brought from thence to *London* on the 30*th* of *October*, Certain Proclamations, One against *Taking of the Solemn League or Covenant*; Another against the *Observation of the Monthly Fast*; A Third for *Removing the Seals of the Green-Wax Offices belonging to the Exchequer, Kings-Bench, and Common-Pleas, to* Oxford; for which he was Tryed at a Council of War at *Essex*-House, on *Friday*, *Novemb.* 24. and tho' he insisted, that he was one of His Majesty's Sworn Messengers; and that he knew not that *London* was a Garison-Town, and so ventured to come into it without Drum, Trumpet, or Pass: He was Sentenced to suffer Death as a Spie, and (the rather, for that he had before been taken and detained at *Windsor* for the like matters, and discharged then by the General) Intelligencer. On the 27*th* of *Nov.* he

An. 1643. he was carried from *Newgate*, by *Quarterman* the City-Marſhal, and other Officers into *Cornhil*, where a Gibbet was Erected over-againſt the *Royal-Exchange*. Mounting the Ladder, he lifted up his Hands and Eyes towards Heaven, and ſaid the following Prayer.

O Moſt Holy and Gracious Lord! Thou art a GOD *of infinite Goodneſs and unſpeakable Mercy to all that truly Fear and Call upon Thy Name: I beſeech thee, good Father, to look upon me at this preſent in much Mercy and tender Compaſſion; and lay not to my Charge thoſe Sins which from time to time I have committed againſt thy Divine Majeſty; but waſh them away in the Blood of thy dear Son* Chriſt Jeſus; *and grant, That I may now dye as I have ever lived a True Proteſtant, in the Faith Profeſſed by the Church of* England.

Then he made a ſhort Speech, That he was Imployed by His Majeſty with a Meſſage from *Oxford* to the Lord Mayor and Sheriffs, which he delivered to them accordingly; and that he was ignorant the City was a Gariſon, or that he ought not to have come without Drum or Trumpet and Paſs, and deſired the People to Sing the LI. *Pſalm*, and ſo Suffered.

Another Condemned.

At the ſame Council of War there was alſo Tryed and Condemned one *Carpenter*, for bringing from the King ſeveral Letters and Writs to the Judges, to Adjourn the Term to *Oxford*: The Form of the Letter was as followeth.

Charles R.

King's Letter to the Judges, to Adjourn the Term to *Oxford*, *Nov.* 19. 1643.

Truſty and Well-beloved, We Greet you well: Together with theſe Our Letters We ſend unto you a Writ of Adjournment for Our Bench, and all Pleas, Proceſs, and Proceedings therein, to be Adjourned in and from the 22d. *day of this Month of* Nov. *in and unto* Octab. Sanct. Hill. *next, from* Weſtminſter *to Our City of* Oxford, *which we Command you, upon your Allegiance to Execute, and make your Adjournment accordingly. And leſt you ſhould be Interupted or prevented therein, we have directed theſe to be delivered unto you but the ſame Morning; and We charge you to keep Our Counſel, and to Execute Our Commands at the firſt Sitting of the Court that Morning, which you ſhall haſten for that Cauſe. We know well, that what we Command to be done herein is both Juſt and Legal, and doth much concern Our Service, and the good of Our People, The advancement of Our Laws, and the ſafety of this Our Kingdom: You muſt therefore be careful to give us a good account thereof, as you tender Our Service, and will anſwer the contrary.*

Given at Our Court at Oxford, this 19*th* day of *Novemb.* 1643.

But tho' the Bearer was Sentenced, yet he was Reprieved and Committed to *Bridewel*.

A Precept to ſtir up all Well-affected People, by Benevolence, towards the Raiſing a Company of *ARCHERS*, for the Service of the King and Parliament.

The Earl of *Eſſex's* Precept for raiſing a Company of *Archers*, Nov. 1643.

Whereas, by Vertue of a Commiſſion under my Hand and Seal, dated the firſt day of Novemb. 1643. *directed to Mr.* Thomas Taylor, *Citizen of* London, *he the ſaid* Thomas *is Authorized to raiſe a Company of* Archers, *for the Service in hand, and to ſet the ſame on foot, by and through the free Bounties of the Well-affected People, in and about the City of* London *and parts adjacent, as by the Tenour of the ſaid Commiſſion appears. It is therefore deſired, That all manner of Perſons who are Well-affected will be pleaſed forthwith to bring in Bows and Arrows, if they have*

19 Caroli.

have any, or what Sum of Money they pleaſe, for the ſpeedy Advance of the ſaid Service to Bowyers-Hall, *within* Cripplegate, London, *upon* Mondays, Thurſdays, *and* Saturdays, *which place is prepared as a Magazine or Storehouſe for Receipt thereof, and better expediting the ſaid Buſineſs; wherein, if willingneſs, and indifferent Contributions do appear, no doubt but a conſiderable number of* Archers *will be raiſed, and God's Bleſſing will ſtill attend the uſe of that Honourable and Ancient Weapon, hereto fore found of good uſe in this Kingdom; Therefore all Miniſters, Church-Wardens, Conſtables, Headboroughs, and other Officers, are deſired to be furtherers of the Service, according to the Tenor hereof.*

Eſſex.

Die Mercurii, 22. Novemb. 1643.

The Commons Order the Aſſembly to write to the Proteſtants beyond Sea, *Nov.* 22.

IT is this day Ordered by the Commons Houſe of Parliament, That the Aſſembly of Divines be moved to write Letters unto ſome Divines or Churches of *Zealand* and *Holland*, and to the Proteſtant Churches in *France*, *Switzerland*, and other *Reformed Churches*, to inform them againſt the great Artifices and Diſguiſes of His Majeſties Agents in theſe parts, of the true ſtate of our Affairs, and of the conſtant Imployment of *Iriſh* Popiſh Rebels, and other Papiſts, to be Governors, Commanders and Soldiers; the many evidences of their Intentions to introduce Popery, their endeavour to hinder the Reformation here intended, and condemning other Proteſtant Churches, as unſound, becauſe not Prelatical. And that the *Scots* Commiſſioners be deſired to joyn therein: And likewiſe, that the Committees of the Lords and Commons, and of the Divines, may adviſe with the *Scots* Commiſſioners in the Premiſes.

H. Elſynge, Cler. Parl. D. Com.

In purſuance of this Order, they drew up a Letter, which, in *Engliſh*, ſpake as followeth.

A Letter from the Aſſembly of Divines in *England*, and the Commiſſioners of the Church of *Scotland*, to the *Belgick*, *French*, *Helvetian*, and other Reformed Churches.

Right Reverend and dearly beloved in our Lord Jeſus Chriſt,

WE the Aſſembly of Divines and others, called and convened by the Authority of Both Houſes of Parliament of *England*, with the Commiſſioners ſent from the General Aſſembly of the Church of *Scotland*, do heartily ſalute you in the Lord. We doubt not but the ſad reports of the miſeries under which the Church and Kingdom of *England* do bleed, and wherewith we are all ready to be ſwallowed up, (the Cup which the Righteous Lord hath given us to Drink) is long ſince come to your Ears. And it is probable that the ſame Inſtruments of Satan and Antichriſt, have endeavoured, by their Emiſſaries, to preſent us as black as may be among your ſelves; who by falſhood and lyes endeavour every where to put fair gloſſes upon their own bloody Deſigns, and to reproach our ſtrugglings after a more thorough Reformation of Religion in the Church of *England*, according to the Word of *GOD*, and our juſt defence of our Lives, Liberties, and Religion, againſt their cruel and unjuſt Violences. And we ſometimes doubt, whether we have not been wanting to our own Innocency, and your Satisfaction, in being thus long ſilent, from giving you a faithful, though ſorrowful, relation of the ſtate wherein we ſtand. But pardon us, *dear Brethren*, if this Cup of Trembling, wherewith our Spirits have been filled to amazement, and our wreſtlings with extreme difficulties ever ſince our meeting, have hindred us from that which we long

An. 1643. ſince knew to be our duty. And give us leave now a little to eaſe our Grief, by powring our Hearts into your Boſoms, while we relate the deſolation made by an Antichriſtian Faction, who amongſt us, have ſtill been hindring the work of Reformation, and withal introducing and cheriſhing of Popery; and are now arrived at that ſtrength, and have prevailed ſo far againſt us, that if the Lord, whoſe Judgments are unſearchable, and whoſe tender Mercies are innumerable, do not ſpeedily help us, we ſhall even altogether be laid waſte by them.

How great a hand this treacherous and bloody Generation amongſt us, have long had in the miſeries of other Reformed Churches, in the deſtruction of the *Palatinate*, and in the betraying and loſs of *Rochell*, and how, by ſeeming Overtures of Ambaſſies and Treaties for their Relief, they have fomented, continued, and encreaſed their Calamities, are ſo fully known by you all, and miſerably felt by ſome of your ſelves, that we need not ſpeak any thing of them. And we ſuppoſe their inveterate hatred *againſt you all*, is ſufficiently manifeſted, in that multitudes of them have refuſed to acknowledge any of you for Churches of Chriſt, *becauſe you are not Prelatical*, and thereby (as they conceive) want a lawful Vocation of Miniſters. Sure we are, that amongſt our ſelves in all theſe Three Kingdoms, they have prevailed ſo far in advancing Popery, and depreſſing Religion, that it would require a Volume, rather than a Letter, to relate all the particulars. Scarce one thing can be thought upon, which may be ſuppoſed to be an argument of any intent to ſet up Popery, and even extirpate the true Reformed Religion, but we could give you abundant inſtances, that they have not only attempted, but in great meaſure prevailed for the putting thereof in execution. All the good and juſt Laws of this Kingdom, againſt Papiſts (concerning their Lives, Liberties and Goods) ſuſpended; Judges prohibited to proceed againſt Condemned Prieſts; and even Jeſuits ſet free: Houſes of Superſtition in *Ireland* and *England* ſet up, and not diſcountenanced: (beſide the ſeldom or never queſtioned Tranſportation of many young Perſons to Seminaries in Foreign Parts.) Notorious Papiſts, contrary to known Laws, permitted to come to Court, to reſide there, and enjoy the favour and preferment of it: Multitudes of them releaſed from legal Penalties for time paſt, and time to come; Proſecuters of them checked and diſcountenanced; Agents ſent from hence into *Italy*; Nuncio's and Agents from *Rome* received, and treated with; ſuch as warped that way, cheriſhed and advanced; the moſt zealous Miniſters and Profeſſors of Religion bitterly perſecuted. And all theſe things ſo apparent, that abundance of Popiſhly affected Prelates and Miniſters adventured in every part of the Kingdom publickly to Preach and leaven their People with almoſt all points of Popery, (except the Supremacy) and to introduce abundance of corrupt Innovations in the Worſhip of God, compelling the People to yield Conformity to them, with Perſecuting ſuch as would not. Inſomuch as many who looked at Religion only for outward advantage, found it beſt for their gain and ſafety to turn Papiſts: And many Godly Miniſters, who would not publiſh a Book purpoſely ſet forth to allow ſuch Sports on the Lords Day, which the Reformed Churches think unlawful at any time; or who would not conform themſelves to their other Superſtitions, have had their Mouths ſtopped, and many Thouſands of their People with them compelled to ſeek for Refuge amongſt your ſelves, or in remote parts of the World.

Yea ſo far they had advanced in their preſumption, as to impoſe upon the whole Kingdom of *Scotland*, a new Popiſh Book of Service, Rites and Ceremonies, and a Book of Canons: To which, when the Piety and Zeal of that Nation would not ſubmit, they prevailed (alas) with His Majeſty to proclaim them Rebels and Traytors, and to raiſe a formidable Army againſt them; to which all the Papiſts, and Popiſhly affected, did profeſſedly contribute their beſt aſſiſtance. And certainly had not the Lord by his bleſſing upon the *Scotiſh* Army, by the manifeſtation and acknowledgment of the wrongs done them, by the calling of this Parliament, and their Godly Care to clear the Innocency of their Brethren, and by the Treaty of Peace concluded betwixt the Two Kingdoms, prevented it; the Two Nations, long ſince, through the Treachery and Rage of theſe brutiſh Men, had been embrewing their hands in each others Blood.

But

19 *Caroli.*

But though, through the Goodneſs of God, and his Bleſſing upon the publick Counſels and Proceedings of both Nations of *England* and *Scotland*, they were more cloſely and mutually conjoyned; and the Lord had raiſed up ſuch a Spirit throughout this whole Kingdom to mourn after the Lord, to lament our Backſlidings, and to deſire a perfect Reformation; and had ſo inclined the Hearts of the Honourable Senators Convened in Parliament, to repair the Houſe of the Lord among us, that we verily hoped our Winter to be paſt, and the time of our Refreſhing and Healing to be come: yet alas we find it to be clean otherwiſe: Our God, who before was a *Moth* and *Rottenneſs*, is now turned unto a *Lion* to us. We know our Sins have deſerved all; and if we all Die and Periſh, yet the Lord is Righteous, to his Hand we ſubmit, and to him alone we deſire to look for Healing: Howbeit, the Inſtruments of theſe new Miſeries are the ſame Antichriſtian Faction, who have been ſo far from being diſcouraged, or giving over their former deſign by their want of ſucceſs in *Scotland*, or in beholding the fixed Reſolution of the Parliament here for Reformation, that their Rage and Diligence therein is more increaſed ſince the beginning of the Parliament, than at any time before. And indeed have more prevailed; both by ſtirring up a bloody Rebellion in *Ireland*, wherein (as the Papiſts themſelves boaſt) they have deſtroyed above a Hundred Thouſand Proteſtants in one Province, within a few Months: And in *England*, by alienating the Heart of His Majeſty from His Parliament which had begun to call many of them to account for their former Miſchiefs And (after an attempt to ſurprize ſome Members of both Houſes in an Hoſtile manner) prevailing with His Majeſty to withdraw himſelf from the Parliament, and to raiſe an Army; which at firſt, pretended only to be made up of Proteſtants; But the Papiſts knew their Intents, who both here and beyond the Seas, had frequent Prayers for the good Succeſs of this great Work intended in *England*, for the advancing of the Catholick Cauſe; And ſpared not in *England* to Boaſt, that they were not to appear until many Proteſtants were ingaged ſo far, that they might not ſtart back, and then they were to own it, which accordingly is come to paſs: For when once many ſeeming Proteſtants were ingaged upon pretence of the Kings Prerogative, and Privileges of Parliament and the Proteſtant Religion, (which Proteſtants yet for the moſt part were the ſame, who before the beginning of theſe Stirs had been by the publick Judicatory of the Kingdom, impeached of Treaſon, Oppreſſion, and other high Crimes and Miſdemeanors; and others who knew themſelves guilty thereof; and other corrupt parties of the Clergy and their Adherents) preſently the Papiſts (who before were ſpared from all Plunder and Violence where-ever the Kings Forces came, though many Proteſtants, who even held not for the Parliament, were rifled) were Armed by Commiſſion from the King, and promiſe of Repayment for their Arms, if they were loſt; Many great Papiſts being put into places of Command in ſeveral parts of the Kingdom; and the Body of all the Papiſts joyning with all their Might, and Profeſſing and Exerciſing their Religion even by publick Maſſes in divers parts of the Realm: And thus aſſiſted with Ammunition, Men, and Money, from other parts, (deluded by their fair Gloſſes and Pretences) they go up and down, Plunder, and Murder, and ſpoil all ſuch as adhere to the Parliament, and Cauſe of Religion.

And although, when the Parliament ſaw that theſe wicked Inſtruments prevailed with the King, to raiſe force to be protected from the Juſtice of the Laws, (which the Parliament went about to inflict upon them for their former Treaſons, and other high Crimes) and to accompliſh their former Deſigns, they endeavoured to ſecure the Forts and Navy, and provide Means for the Defence of themſelves, and of their Laws, Liberties, and Religion (all which theſe Men endeavoured to deſtroy;) Yet ſuch hath been their Cunning, by falſe Gloſſes to hide their own Intention, and to Seduce others; or rather, ſuch is the Righteous Judgment of our now Angry God, for our abuſe of our long Peace, that we have not yet been able by Supplications, Petitions, and Remonſtrances, to recover His Majeſty out of their Hands; or to bring theſe Men to deſerved Puniſhments; but the Sword rageth almoſt in every corner of this woful Land.

And, to make up our Miſery to the full, they have now at laſt prevailed with His Majeſty ſo far to own the bloody Rebels in *Ireland*, as not only to call them His *Roman-Catholick Subjects now in Arms*, *&c.* but even to grant them a Ceſſation for a year, (when they were brought into great extremity) and to hold what they have gotten, liberty to Strengthen themſelves, with Men, Money, Arms,

An. 1643.

Ammunition from any place, freedom to ſend or come to His Majeſty; and thereby be not only inabled to deſtroy the Remnant of the Proteſtants there, but to come over hither, (as many of them are already) to act the ſame Butcheries upon us, as they have hitherto Exerciſed upon our miſerable and diſtreſſed Brethren among themſelves.

In theſe deplorable Calamities are we Involved; and in the midſt of theſe troubleſome Times, have the Honourable Houſes of Parliament, called this Aſſembly, to give them our beſt Counſel for the Reformation of the Church, for the purging and preſerving of Religion; and require us to make Gods Word only our Rule, and to endeavour the neareſt Conformity to the beſt Reformed Churches, and Uniformity in all the Churches of the three Kingdoms. And in this Work we are now Exerciſed, though the Enemy hath ſtirred up the Heart of our dear and dread Sovereign againſt us alſo: Yet through the good hand of God upon us, we have made ſome comfortable Beginnings: The Work is his, who Commands us not to deſpiſe the day of ſmall Things.

Thus (Reverend and Dear Brethren) we have given you the Face, or rather the Shadow, (for what Words are able to expreſs the Face?) of our miſerable Condition in *England:* Our civil Liberties in danger to be loſt, our Goods ſpoiled, our Houſes plundered, our Blood poured out in every corner: (Things though otherwiſe very precious to us, we omit to mention.) If our God will lay our Bodies as the Ground, and as the Duſt under their Feet; the Will of the Lord be done: Might our Blood be a Sacrifice to ranſom the reſt of the Saints of Chriſt from Antichriſtian fury, moſt gladly would we offer it upon this Service. But that which breaks our Hearts, is, the danger we behold the Proteſtant Religion, and all the Reformed Churches in at this time. We know their Rage is inſatiable, and will not be quenched with our Blood: Their fury is kindled againſt us, not as we are Sinful Men, but as Men engaged in the defence of the true Religion, and panting after a right Reformation: And if once the Lord deliver us as a prey into their Teeth, Oh! the Darkneſs and Horrour, the Bondage, Slavery and Perſecution, which all who will not receive the mark of the Beaſt, are like to be wrapped in, in theſe three woful Kingdoms! And not here only, but they are like to attempt the ſame in all the Reformed Churches in *Europe.* Your own Thoughts can eaſily ſuggeſt unto you, with what Rage the Beaſt which came out of the bottomleſs Pit, the Woman who hath thus long drunk the Blood of the Saints, is filled now before her utter Deſtruction, againſt that Virgin Company that follow the Lamb.

The Church and Kingdom of *Scotland,* have been willing and ready by all good means to quench this unnatural Fire. They have ſent their humble Supplications, Remonſtrances, and Declarations to His Majeſty: And at laſt made offer of their humble Mediation, and National Interceſſion, for a Pacification. All which being refuſed and rejected, they have entered into a mutual League and Covenant with the Church and Kingdom of *England;* and have reſolved to joyn in Arms with their Brethren for their Aſſiſtance and Deliverance, for the Preſervation of their own Religion, and of themſelves from the mercileſs Cruelty of the common Enemy, and (ſo far as in them lieth) for the ſafety of their Native King, and his Kingdoms from Deſtruction and Deſolation, (as is more largely expreſſed in their publick Declaration, and in the Solemn League and Covenant of the three Kingdoms, which will give full ſatisfaction to all the wiſe and well-affected concerning their Intentions.) They have alſo, according to the deſire of the Honourable Houſes of Parliament, ſent us their Commiſſioners hither, for Uniformity of Religion in the Churches of both Kingdoms. And we (their Commiſſioners) do exceedingly rejoyce to behold the Foundation of the Houſe of God, not only in Doctrine, but Church Government, laid before our Eyes in a Reverend Aſſembly of ſo Wiſe, Learned, and Godly Divines. And find our Selves bound in all Chriſtian Duty, but eſpecially by the late Solemn League and Covenant of both Kingdoms, wherein we are ſo deeply intereſſed and ingaged, to joyn in repreſenting to the Reformed Churches abroad, the true Condition of Affairs here, againſt all Miſ-Informations and Miſtakings.

And now (dear Brethren) in this extreme danger threatning us all, what are the Things we can beg of you? But that firſt you would judge a-right of our afflicted Condition, of our Innocency and Integrity in this our juſt Defence. If our Enemies every where calumniate us, that we be riſen up in Rebellion againſt our Sovereign to deprive him of his juſt Power and Greatneſs, and endeavour to

bring

bring Anarchy and Confuſion into the Church of Chriſt; from theſe foul and falſe Aſperſions, our Intentions fully and clearly ſet forth in our League and Covenant, (the Copy whereof we here withal humbly preſent you) we doubt not will ſufficiently clear us. But if theſe Children of Belial have unjuſtly ſtirred up our Sovereign againſt us, and by abuſing His Majeſties Name and Authority, are labouring to keep themſelves from deſerved puniſhment of their former Crimes, which the Supreme Judicatories of the Kingdom went about to inflict upon them, and to deprive us of our Lives, Liberties, Privileges, and eſpecially of our Religion; And that our Defenſive Arms are by us uſed, and intended only to preſerve our Selves from their unjuſt Violence: (which hath often been the Condition of many of your Selves.) Let the Righteous Lord judge between us and them; whom we implore to help us no further than we can plead theſe Things in Sincerity before him: And let our dear Brethren, to whom theſe Letters are Addreſſed, acquit our Innocency in their Hearts, and make their Apology for us in all their Churches. 19 *Caroli.*

Secondly, that ye will Sympathize with us as Brethren, who ſuffer in, and for the ſame Cauſe, wherein your Selves have been Oppreſſed, which will be no little Refreſhing to our Mourning Spirits, when we ſhall know that our God who ſmites us, yet inclines the Hearts of his Beloved Churches to look upon us with Compaſſionate Bowels, as judging us to be the Servants of their own God, and Saviour Jeſus Chriſt, and as remembring themſelves to be in the Body.

Thirdly and Laſtly, That as all the Antrichriſtian Faction owns the Cauſe of our Adverſaries as their own, and contributes what lies in their Power every way to their Help, and our Ruine: So that you would embrace our Condition, as your own common Cauſe, wherein if we be once ſwallowed up, your Selves are not like long to eſcape; the quarrel of the Enemy being not ſo much againſt the Perſons of Men, as againſt the Power of Godlineſs, and Purity of Gods Word wherever it is Profeſſed. The way and manner of your owning us, we leave wholly to your Selves: Except this one particular, which we muſt importunately crave, even your fervent Prayers both publick and private. That God who heareth Prayer, now he hath humbled us, and broken all our Arms of Fleſh, (whereon alas we have been too prone to lean) would himſelf bring Salvation to us, that the Bleſſings of Truth and Peace might reſt upon us, that theſe three Nations may be joined as one Stick in the Hand of the Lord, and that we our Selves, contemptible Builders, called to repair the Houſe of God in a troubleſome time, being aſhamed of our former Pollutions, may ſee the pattern of this Houſe, and commend ſuch a Platform to our *Zorobabells*, as may be moſt agreeing to his own Sacred Word, neareſt Conformity to the beſt Reformed Churches, and greateſt Uniformity amongſt our Selves, that all Mountains may become Plains before them and us, that then all who now ſee the Plummet in our Hands, may alſo behold the Top-Stone ſet upon the head of the Lords Houſe amongſt us, and may help us with ſhouting to cry, Grace, Grace unto it.

And thus much we have been willed to Inform you of, *Reverend Brethren*, (and by you all Faithful Chriſtians under your Charges) by the Honourable Houſe of Commons: In whoſe Name, and in our own, we bid you heartily farewel *in the Lord.*

Your moſt Affectionately Devoted Brethren in Chriſt,

Jo. Maitland,
A. Johnſton,
Alex. Henderſon,
Sam. Rutherfurd,
Rob. Bailyie,
Geo. Gilleſpie.
} Commiſſioners of the Church of *Scotland.*

William Twiſſe, Prolocutor.

Cornel. Burges, Aſſeſſor.
Jo. White, Aſſeſſor.

Henry Robrough, Scribe.
Adoniram Byfield, Scribe.

THE

An. 1643.

The Form of Inſcription, and the ſeveral Churches by them Written unto.

The ſeveral Churches ſent to.

To the Reverend and Learned Paſtors and Elders of the Claſſes and Churches of the Province of *Zealand*, our much Honoured Brethren.

The like ſeverally to *Holland*, *Eaſt-Holland*, *Gelderland*, *Overyſſel*, *Utrecht*, *Friezeland*, and *Groningen*.

To the Reverend and Learned Paſtors and Elders of the Church, in the City and Republique of *Geneva*, our much Honoured Brethren.

The like to thoſe of the Churches of *Berne*, of *Zurick*, of *Bazel*, and of *Schafhauſen*.

To the Reverend and Learned Paſtors and Elders of the Church, which is at *Paris*, our much Honoured Brethren.

To the Reverend and Learned Paſtors and Elders of the Claſſes and Churches of *Heſſen*, our much Honoured Brethren.

The like to thoſe of *Anhalt*. And laſtly,

To the Reverend and Learned Paſtors and Elders of the Churches of *Hanaw*, our much Honoured Brethren.

Decemb. 8. 1643. Died *John Pym*, a Member of the Houſe of Commons at *Derby*-Houſe; and on the 13*th*, his Corps carried by Six Members of that Houſe, and attended with moſt of the Lords and Commons at *Weſtminſter*, was Interred in the Abby. But whereas it was reported by ſome, That he died of that loathſome and ignominious Diſeaſe, called by Phyſicians, *Morbus Pedicularis*, the ſame was not true; and for publick ſatisfaction therein, his Dead Body was for ſome time expoſed to, and viewed by many hundreds of People: The true natural cauſe of his Death ſeeming to be the great pains he took, joyned with a competent old Age, and (at beſt) but an infirm Conſtitution.

Some time before he had cauſed to be Printed and Publiſhed a Paper Intituled,

A Declaration and Vindication of John Pym, *Eſq*; *which was as followeth*:

Pym's Declaration publiſhed by himſelf, *Anno* 1643.

IT is not unknown to all the World (eſpecially to the Inhabitants in and about *London*) with what deſperate and Fame-wounding Aſperſions my Reputation, and the integrity of my Intentions to GOD, my King, and my Country, hath been Invaded by the Malice and Fury of Malignants, and Ill-affected Perſons to the good of the Common-wealth. Some charging me to have been the Promoter and Patronizer of all the Innovations which have been obtruded upon the Eccleſiaſtical Government of the Church of *England*.

Others

19 *Caroli.*

Others of more ſpiteful and exorbitant Spirits, alledging, That I have been the Man, who have begot and foſtered all the ſo lamented Diſtractions, which are now riſe in this Kingdom; and though ſuch Calumnies are ever more harmful to the Authors, than to thoſe whom they ſtrive to wound with them, when they arrive only to the Cenſure of Judicious Perſons, who can diſtinguiſh Forms, and ſee the difference betwixt Truth and Falſhood: Yet becauſe the Scandals inflicted upon my Innocence have been obvious to People of all Conditions; many of which may entertain a belief of thoſe reproachful Reports, though in my own Soul, I am far above thoſe Ignominies, and ſo was once reſolved to have waved them, as unworthy my Notice: Yet at laſt, for the aſſertion of my Integrity, I concluded to declare my ſelf in this matter, that all the World, but ſuch as will not be convinced, either by reaſon or Truth, may bear Teſtimony of my Innocency. To paſs by, therefore, the Earl of *Strafford*'s Buſineſs, in which ſome have been ſo Impudent as to charge me of too much Partiality and Malice: I ſhall declare my ſelf fully concerning the reſt of their Aſperſions; namely, That I have promoted and fomented the differences now abounding in the *Engliſh* Church.

How unlikely this is, and improbable, ſhall, to every indifferent Man, be quickly rendred Perſpicuous: For that I am, and ever was, and ſo will Die, a faithful Son of the Proteſtant Religion, without having the leaſt relation in my belief to thoſe groſs Errors of *Anabaptiſm*, *Brownifm*, and the like, every Man that hath any acquaintance with my Converſation, can bear me Righteous witneſs. Theſe being but Aſperſions caſt upon me by ſome of the diſcontented Clergy, and their Factors and Abettors, becauſe they might perhaps conceive, that I had been a main Inſtrument in extenuating the haughty power and ambitious Pride of the Biſhops and Prelates. As I only delivered my Opinion as a Member of the Houſe of Commons, that attempt or action of mine had been Juſtifiable, both to GOD and a good Conſcience; and had no way concluded me guilty of a Revolt from the Orthodox Doctrine of the Church of *England*, becauſe I fought a Reformation of ſome groſs abuſes crept into the Government by the Cunning and Perverſeneſs of the Biſhops and their Subſtitutes; for was it not high time to ſeek to regulate their Power; when, inſtead of looking to the Cure of Mens Souls (which is their Genuine Office) they inflicted Puniſhment on Mens Bodies, baniſhing them to remote and deſolate places; after Stigmatizing their Faces, only for the Teſtimony of a good Conſcience, when not contented with thoſe inſufferable Inſolencies, they ſought to bring in unheard of Canons into the Church, *Arminian* or Papiſtical Ceremonies (whether you pleaſe to term them, there is not much difference) impoſing Burdens upon Mens Conſciences, which they were not able to bear, and introducing the old aboliſhed Superſtition of bowing to the Altar; and if it ſavoured either of *Brownifm* or *Anabaptiſm*, to endeavour to ſuppreſs the Growth of thoſe Romiſh Errors, I appeal to any equal minded Proteſtant, either for my Judge or Witneſs; nay, had the Attempts of the Biſhops deſiſted here, tolerable they had been, and their Power not ſo much queſtioned, as ſince it hath; for when they ſaw the Honourable the High Court of Parliament begun to look into their Enormities and Abuſes, beholding how they wreſted Religion like a Waxen Noſe, to the furtherance of their ambitious purpoſes, then *Troy* was taken in, then they began to deſpair of holding any longer their uſurped Authority; and therefore, as much as in them lay, both by publick Declarations and private Councils, they laboured to foment the Civil Differences between His Majeſty and His Parliament, aberting the proceedings of the Malignants with large Supplies of Men and Money, and ſtirring up the People to Tumults by their Seditious Sermons. Surely then no Man can account me an ill Son of the Common-wealth, if I delivered my Opinion, and paſſed my Vote freely for their Aboliſhment; which may, by the ſame Equity, be put in Practice by this Parliament, as the diſſolution of Monaſteries and their lazy Inhabitants, Monks and Fryars, were in *Henry* the Eighth's Time; for without diſpute, they carried as much Reputation in the Kingdom then as Biſhops have done in it ſince, and yet a Parliament then had Power to put them down; why then ſhould not a Parliament have power to do the like to theſe, every way guilty of as many Offences againſt the State as the former? For my own part, I atteſt GOD Almighty, the knower of all Hearts, that neither Envy, or any private Grudge to all, or any of the Biſhops, hath

An. 1643. hath made me averſe to their Function, but merely my Zeal to Religion and GOD's Cauſe, which I perceived to be trampled under Foot by the too extended Authority of the Prelates, who, according to the Purity of their Inſtitution, ſhould have been Men of upright Hearts and humble Minds, ſhearing their Flocks, and not flaying them, when it is evident they were the quite contrary.

And whereas ſome will alledge, it is no good Argument to diſſolve the Function of Biſhops, becauſe ſome Biſhops are vitious: To that I anſwer, ſince the Vice of theſe Biſhops was derivative from the Authority of their Function, it is very fitting the Function, which is the cauſe thereof, be Corrected, and its Authority diveſted of its borrowed Feathers; otherwiſe it is impoſſible but the ſame Power which made theſe preſent Biſhops (ſhould the Epiſcopal and Prelatical Dignity continue in its ancient heighth and vigour) ſo Proud and Arrogant, would infuſe the ſame Vices into their Succeſſors.

But this is but a Mole-Hill to that Mountain of ſcandalous Reports that have been inflicted on my Integrity to His Sacred Majeſty; ſome boldly avering me for the Author of the preſent Diſtractions, between His Majeſty and His Parliament, when I take GOD, and all that know my Proceedings, to be my Vouchers, That I neither directly nor indirectly, ever had a thought tending to the leaſt Diſobedience or Diſloyalty to His Majeſty, whom I acknowledge my lawful King and Sovereign, and would expend my Blood as ſoon in his Service, as any Subject he hath. 'Tis true, when I perceived my Life aimed at, and heard my ſelf proſcribed a Traytor, merely for my intireneſs of Heart to the ſervice of my Country, was informed, That I, with ſome other Honourable and Worthy Members of the Parliament, were againſt the Privileges thereof demanded, even in the Parliament Houſe, by His Majeſty, attended by a multitude of Men at Arms and Malignants, who, I verily believe, had for ſome ill end of their own, perſwaded His Majeſty to that exceſs of Rigour againſt us; when for my own part (my Conſcience is to me a Thouſand Witneſſes in that behalf) I never harboured a thought which tended to any Diſſervice to His Majeſty, nor ever had an intention prejudicial to the State: When, I ſay, notwithſtanding my own Innocence, I ſaw my ſelf in ſuch apparent danger, no Man will think me blame-worthy, in that I took a care of my own ſafety, and fled for Refuge to the Protection of the Parliament, which, making my Caſe their own, not only purged me and the reſt of the Guilt of High-Treaſon, but alſo ſecured our Lives from the Storm that was ready to burſt out upon us.

And if this hath been the occaſion that hath withdrawn His Majeſty from the Parliament, ſurely the fault can no way be imputed to me, or any proceeding of mine, which never went further, either ſince His Majeſty's departure, nor before then, ſo far as they were warranted by the known Laws of the Land, and authorized by the indiſputable and undeniable power of the Parliament: and ſo long as I am ſecure in my own Conſcience that this is Truth, I account my ſelf above all their Calumnies and Falſhoods, which ſhall return upon themſelves, and not wound my Reputation in good and impartial Mens Opinions.

But in that Deviliſh Conſpiracy of *Cataline*, againſt the State and Senate of *Rome*, none among the Senators was ſo obnoxious to the envy of the Conſpirators, or liable to their Traducements, as that Orator and Patriot of his Country, *Cicero*, becauſe by his Council and Zeal to the Common-wealth, their Plot for the ruine thereof was diſcovered and prevented; though I will not be ſo arrogant, to parallel my ſelf with that Worthy, yet my Caſe, (if we may compare leſſer things with great) hath to his a very near reſemblance. The Cauſe that I am ſo much maligned and reproach'd by ill-affected Perſons, being becauſe I have been forward in advancing the Affairs of the Kingdom, and have been taken notice of for that forwardneſs; they, out of their Malice, converting that to a Vice, which, without boaſt be it ſpoken, I eſteem as my principal Vertue, my Care to the publick Utility: And ſince it is for that Cauſe that I ſuffer theſe Scandals, I ſhall endure them with patience, hoping that GOD in his great Mercy will at laſt reconcile His Majeſty to His High Court of Parliament; and then I doubt not but to give His Royal Self (though he be much incenſed againſt me) a ſufficient account of my Integrity. In the interim, I hope the World will believe, that I am not the firſt Innocent Man that hath been injured, and ſo will ſuſpend their further Senſures of me. At

19. *Caroli.*

January 8. 1643. The deſign of Sir *Baſil Brook* and others.

At a Common-Hall purpoſely call'd in *London*, a Committee of both Houſes; *viz.* Eight Lords and Sixteen Commoners, gave the City an Account of the diſcovery of a Deſign, which they alledged, tended (under the ſpecious pretence of advancing Peace) to divide the City and the Parliament, and embroil them both, and violate the late Treaty with the Scots, and deſtroy the Parliament. The Inſtruments they declared to be one *Read*, by ſome called Colonel *Read*, a common Agent for the Papiſts; and to whom the Packets and Addreſſes from *Rome* were made, lately amongſt the Rebels in *Ireland*, and being there taken, ſent Priſoner from *Dublin*; Sir *Baſil Brook*, a Papiſt, (Treaſurer of the Money contributed by that Party towards the late War againſt *Scotland*) and *Tho. Violet* a Goldſmith, who being all for ſome time Priſoners together in the *Kings-Bench*, conſulted the Matter, and engaged *Theophilus Riley*, Scout-Maſter General of the City of *London*, by whoſe help, both *Read*, (under a falſe Character) and *Violet*, got at Liberty, being Exchanged. Then a Character of Intelligence was agreed on between them; *Read* to be known by the Name of *Lee*, *Riley* by the Name of the Man in the Moon, and *Violet* by the Name of *James Morton*; and ſo away went *Read* to *Oxford*.

The Buſineſs projected, as appeared by the Examinations of Sir *Baſil Brook*, *Riley*, and *Violet*, (now publickly Read at *Guild-Hall*) was, To procure the City of *London* to Petition His Majeſty for Peace, and to ſet on foot a Treaty immediately between the King and the City: And for the Grounds of ſuch Treaty, Sir *Baſil*, Mr. *Riley* and *Violet* framed certain *Propoſitions*; viz.

I. *THAT the City might be Satisfied, That the King would ſettle the Proteſtant Religion, for without That, neither the Parliament nor City would admit any Treaty.*

II. *That the Debts Contracted upon the Publick Faith on either Side, by King or Parliament, ſhould be Satisfied; And the moſt likely way for doing thereof was to ſettle the Exciſe for thoſe Purpoſes.*

III. *That it was Conceived, That in Reſpect of the Kings late Declaration, that the Two Houſes at* Weſtminſter *were no free Parliament; and that therefore the King could not Treat with them any more; The Treaty was to be immediately between the King and the City, and the City was to be the Medium between the King and Parliament. But if any Parliament-men would join with the City in this Treaty, they alſo might come with them to* Oxford, *under the ſame Safe-Conduct granted to the City, though their Names not particularly mentioned; and ſo much was to be Declared and Expreſs'd.*

IV. *That there muſt be an Act of Oblivion for all Parties and Delinquents whatſoever, and a General Pardon; and that no Ceſſation be expected during the Treaty.*

But in theſe Propoſitions there was no mention made either of *Scotland* or *Ireland*.

Read wrote up Letters to *Riley*, of the Succeſs of his Negotiation, and preſs'd him not to loſe ſuch an opportunity, uſing theſe Words---- *For I have made thoſe whom you have given juſt Occaſion to be your worſt Friends, to be your beſt, and the only Inſtrument to procure what here is ſent you; and be you Confident ſhe ſhall ſtill be ſo, provided you do your part.---- Defer no time, (for Gods Sake) and what you will do, do it ſpeedily, I ſay again, do it ſpeedily, for Reaſons I may not write*----And in another Letter----

An. 1643.

I assure you, I have not been wanting to further your good Desires; and if it be not your own Faults, I make no doubt but Things will have a happy Issue, &c. One of these Letters casually dropt from *Riley* at his Examination before the Committee, and was took up after he was gone, directed on the out-side, *To the Man in the Moon*; whereupon he was sent for back, and the other found in his Pocket with the same Direction, by which he Confess'd was meant himself, and that they came from *Read*, and were delivered to him, one by Sir *Basil Brook*, and the other by *Violet*.

The better to dispose the City to this Overture of Petitioning for Peace, it was thought fit amongst them, That a Letter should be wrote from the King, encouraging them thereunto, to be Read at a Common-Hall; and in the mean time a Party to be made to advance the Business there; And accordingly the Form or Draught of such a Letter was prepared by Sir *Basil*, Mr. *Riley*, and *Violet*, and sent to *Oxford* by one *Wood*, who brought back a Letter (in effect the same with their Draught) Signed by His Majesty: And *Violet* also went down to *Oxford*, and by *Read* was Introduced to the Lord *Digby*, from whom he brought the following Letter to Sir *Basil Brook*.

The Lord *Digby's* Letter to Sir *Basil Brook*, Dec. 29. 1643.

SIR,

THE King and Queen have both Commanded me to give you Thanks in their Name for your Care and Diligence in their Service; And His Majesty hath so much Confidence in your Discretion, and Wariness not to be Deluded, That in the Hopes of the good Effects towards a happy Peace, which you seem to promise your Self from this Negotiation, His Majesty is pleased to descend very far in Writing so Gracious a Letter to those who may seem to have deserved so ill of him. I send you herewithal a Copy of the Letter it Self, which varies only in Style, not in matter from that Draught, which was sent down hither; which if you like, and continue your Confidence, that it may be effectual to so Blessed an End, as Peace and Union, You are to deliver it to those Parties, seconded with Assurance of His Majesties most gracious and sincere Inclinations to give them full Satisfaction in all their reasonable Desires. But if you shall find cause to lessen the Belief of a powerful Effect by this Letter of His Majesties, it is then Recommended to your Discretion to forbear the delivery of it, since it would be a very unfit thing, to expose so great a Grace and Condescending of His Majesty, to hazards of being made Frustrate and Contemn'd. God send you happy Success in this great Undertaking. I professe it is that wherewith my Belief and Reason go along more Comfortably than with any thing I have known in Projection since these Troubles. But it is not fit to Ravel further into the Business this hazardous way, and therefore I shall add no more, but I am,

Your very Affectionate Servant.

Oxford, Dec. 29. 1643.

George Digby.

His Majesties Letter to the City was thus directed on the outside.

To Our Trusty and Well-Beloved, Our Lord Mayor, and Aldermen of Our City of *London*, and all other Our Well-Affected Subjects of that City.

The Kings Letter to the City.

CHARLES *R.*

TRusty and Well-beloved, We Greet you well. When We Remember the many Acts of Grace and Favour We and Our Royal Predecessors have conferr'd upon that Our City of London; *and the many Examples of eminent Duty and Loyalty, for which that City hath been likewise Famous, We are willing to believe, notwithstanding the great Defection We have found in that Place, that all Men are not so far Degenerated from their Affection to Us, and to the Peace of the Kingdom, as to desire a continuance of the Miseries they now feel; And therefore being informed, That there is a desire in some principal Persons of that City, to present a Petition to Us, which may tend to the procuring*

19 Caroli.

curing a good Understanding between Us and that Our City, whereby the Peace of Our whole Kingdom may be procured; We have thought fit to let you know, That We are ready to receive any such Petition, and the Persons who shall be appointed to present the same to Us, shall have a safe Conduct. And you shall assure all Our good Subjects of that Our City, whose Hearts are touched with any Sense of Duty to Us, or of Love to the Religion and Laws established, (in the quiet and peaceable Fruition whereof they and their Ancestors have enjoyed so great Happiness) That We have neither passed any Act, nor made any Profession or Protestation for the Maintenance and Defence of the true Protestant Religion, and the Liberties of the Subject, which We will not most strictly and religiously observe, and for the which We will not be always ready to give them any Security can be desired. And of these Our Gracious Letters We expect a speedy Answer from you. And so We bid you Farewell.

Given at Our Court at *Oxford*, in the Nineteenth Year of Our Reign, the 26*th* of *December*, 1643.

By His Majesty's Command.

Digby.

This Letter was never delivered; for *Violet* having communicated the matter to one Sir *David Watkins*, for his Advice and Assistance, who seemed to approve the same, the said Sir *David* discovered their Proceedings from time to time to some Members of Parliament: And so a day or two before the Common-Hall should be holden, *Riley* and Sir *Bazil Brook* and *Violet* were secured. And now, after the Examinations at large, and these Letters had been read to the Common Hall, the Earl of *Northumberland* concluded with this Speech;

'My Lord Mayor, and you, Gentlemen of the City of *London*, 'you have fully heard delivered by these Gentlemen all the Proceed-'ings in their late Discovery: You are now well able to make a right 'Judgment upon the whole matter. I am Commanded, in the name 'of both Houses, to read unto you here their Opinions, and the Sense 'they have delivered, and are of, amongst themselves, *viz. That the Matter of this Report containeth a Seditious and Jesuitical Practice and Design, under the fair and specious Pretence of Peace, having its Rise and Fountain from known Jesuits and Papists, to work Divisions between the Parliament and City of* London, *to raise Factions in both; thereby to render them up to the Designs of the Enemy; and tending also to the Breach of the Publick Faith of this Kingdom unto our Brethren of* Scotland, *engaged by the late Solemn Covenant and Treaty, entred into by both Nations; thereby not only to weaken us in our united Force against our Popish and Common Enemies, but to embroil the two Nations in unhappy Divisions.*

Sir *Bazil Brook* was by Order of Parliament removed from the *King's Bench* to the *Tower*, there to be kept close Prisoner: And Mr. *Riley*, by Vote of the Commons, was to be sent thither, and kept close Prisoner also; and *Violet* secured elsewhere.

The Association of Cornwal and Devon for the K. Jan. 1644.

WHereas a few malevolent and ambitious Persons, in the name of the *Two Houses of Parliament*, have by Treasonable Practices embroiled this Kingdom in a Civil War, pursued His Majesty's Person, murthered his good Subjects, some barbarously, by the common Hangman, against Law and Justice, others by hostile Assaults; brought a general Devastation upon the whole Kingdom, taking away all Liberty from the Members of both Houses, by Awing, Terrifying, and Assaulting them with Tumults and Arms, usurping the Royal

An. 1643.

Power, counterfeiting a Great Seal, to ſhew their horrid Intentions againſt the King, Kingdom, and Government. And finding their Acts not likely to protect them from the Puniſhment due to their Merits, have unnaturally invited the Scots to Invade this Kingdom, and in theſe Diſtractions to make a total Conqueſt of this Nation. For Reſiſtance whereof, and preſerving the common Peace, the Inhabitants of *Cornwal* and *Devon* have united themſelves; and for Continuance of which Union this enſuing Proteſtation is to be taken.

The Corniſh and Devonſhire Mens Oath.

I A. B. *do in the Preſence of Almighty God promiſe, vow, and proteſt, with my utmoſt power to maintain and defend the true Reformed Proteſtant Religion, eſtabliſhed by Law in this Kingdom, againſt all Popery, Popiſh, and other Innovations of Sectaries and Schiſmaticks: As alſo His Majeſty's Perſon and Rights, againſt all Forces whatſoever; and in like manner, the Laws, Liberties, and Priviledges of Parliament, and of this Kingdom. And I ſhall to the utmoſt of my power preſerve and defend the Peace of the two Counties of* Cornwal *and* Devon, *and all Perſons that ſhall unite themſelves by this Proteſtation in the due Performance thereof, and to my power aſſiſt His Majeſties Armies for reducing the Town of Plimouth, and Reſiſtance of all Forces of Scots Invaders, and others, Levyed under pretence of any Authority of Two Houſes of Parliament, or otherwiſe, without His Majeſty's perſonal Conſent.*

And touching the Taking this Proteſtation, and managing the King's Service, they farther agreed upon the following Articles.

Articles agreed upon by them.

1. That there be Copies of this Proteſtation delivered out by the Sheriff, at the Seſſions of each County, to the Conſtables of each Hundred reſpectively; and that the ſaid Hundred-Conſtables do immediately deliver out ſeveral Copies to all the Petty-Conſtables; which are, by the Miniſter of every Pariſh-Church and Chapel, to be publiſhed the next Sunday following after the Receipt, and then every Man preſent to take the ſame, and ſubſcribe his Name thereunto, before the ſaid Miniſter, Conſtable, or Churchwardens, or two of them; And ſuch of the Pariſh as ſhall not be preſent at the time, ſhall take the ſame within ten Days following: And the Miniſters and Conſtables are to give in the Liſt or Certificate of their Names that take it, and of them that are abſent or refuſe, to the Conſtables of the Hundred, who are to deliver the ſame to the Commiſſioners, at their next General Meeting after the 20*th* of *February* next.

2. That the Army be Governed according to His Majeſty's Articles, and that all Perſons, of what Condition ſoever, be held infamous and Enemies to the publick Peace, that ſhall raiſe or cauſe any Mutinies or Diſobedience thereunto, and ſuffer all Severity according to His Majeſty's Articles.

3. That all ſuch Perſons as have been, or ſhall be ſlain in the preſent War, or dye in the Service, (by whoſe Life any other Perſon held any Lands or Rents) the Party to whom the Right to Grant ſuch Land or Rent belongeth, ſhall be bound to grant an Eſtate for a Life, inſtead of the Perſon ſo killed or dying, under the Rents and Covenants, as it was formerly held, unto ſuch Perſon and Perſons as were entituled to hold the ſame, and at his or their Nomination: And the Refuſers to loſe the double Value of the Eſtate, one half to His Majeſty, the other to the Party, and to be Impriſoned till Payment.

4. That if any Miniſter ſhall refuſe or wilfully neglect the ſolemn Celebration of the Faſt, appointed by His Majeſty on the Second Friday of the Month, or ſhall not read the Service and Prayers appointed for that Faſt, and being called before a Juſtice of Peace, ſhall not promiſe and proteſt his future Conformity, he be forthwith ſecured, and his Eſtate ſequeſtred: And the like Courſe to be taken with ſuch Miniſters as abſent themſelves that day, unleſs upon Sickneſs, or other Cauſe, allowed by two Commiſſioners or Juſtices of Peace. And the like Order to be taken with ſuch as ſhall not read ſuch Books as ſhall be appointed to be read by His Majeſty; and the Conſtables are to certifie their Defaults to the next Juſtices.

5. That there be provided a thouſand Barrels of Powder, and ten thouſand Fire-Arms, at the Charge of both Counties, whereof *Cornwal* to be a fourth, and *Devon* three parts, according to the Proportion of the Grand Subſidy.

Sir

19 *Caroli.*

Feb. 2. 164½. Sir Ed. Deering comes in to the Parliament from Oxford.

Sir *Edward Deering* (whoſe Speeches we have oft had occaſion to recite heretofore in this Volume) retired in ſome Diſguſt (eſpecially taken for his not complying againſt Epiſcopacy.) to his Houſe in *Kent*, and there lay private the Months of *May* and *June*, 1642. In which time receiving ſeveral Expreſſes from ſome of His Majeſty's Miniſters then at *York*, to invite him to Court; he at laſt conſented, and paſſing through *Surry* and *Oxford*, went to His Majeſty at *Leiceſter*, and with him to *Coventry*, and ſo to *Nottingham*, before the *Standard* was ſet up; and thenceforwards continued a conſtant Attendant, till this day he came into the Protection of the Parliament, under the Favour and purſuant to the *Declaration* of both Kingdoms, promiſing Indulgence to ſuch as ſhould return upon certain Terms, and within ſuch a time; [which Declaration you have here at large in the Chapter touching the Scots Advance into *England*] He came all the way from *Oxford* by a counterfeit Name, until he arrived at the Out-works of the City of *London*; and there diſcovering himſelf, was brought by the Captain of the Guard to *Weſtminſter*, Examined, for the preſent Committed, and afterwards Diſcharged upon his Petition, which ran in theſe Words;

To the Honourable Houſe of Commons Aſſembled in Parliament.

The Humble Petition of Sir *Edward Deering*, Knight and Baronet,

Humbly Sheweth,

Sir Edward's Petition to the Parliament.

THat no Force or Reſtraint hath brought me hither; but my own free Choice, purſued with Induſtry; and this Choice grounded and confirmed in me upon many ſad Meditations, which have begotten as many ſerious Invocations to be directed in the beſt way. Some few Motives, to manifeſt the honeſt Reality of my Purpoſes, I ask leave to lay down in this Petition; but beforehand profeſſing my ſelf very ſorry for bearing Arms againſt the Parliament.

1. I conſidered, That in removing my ſelf hither, I do not forſake my Duty and Allegiance to the King, but really purſue it; and ſhall actuate it better than before, in a true Obedience both to Him and to the Parliament.

2. I did in this Honourable Houſe take the Parliamentary Proteſtation, one Clauſe whereof is for the Priviledge of Parliament. This (as an Argument of my Return) came late into my Thoughts; but ſince it came, I have much wondered at my ſelf, how I could be ſo long tranſported to aſſiſt in a way to deſtroy this very Parliament, which I have vowed to preſerve.

3. I dare not ſay, That the King's Promiſes are forgotten and unperformed; I had rather hide than open ſo un-royal Failings if I knew them: But certainly ſomething hath at ſome times appeared like unto ſuch Breakings; and I think the Petition out of *Wiltſhire*, on Tueſday or Wedneſday laſt, ſpake little leſs to the King himſelf.

4. The Fear of an Anti-Parliament at *Oxford*, and a particular Fear leſt I ſhould (as divers of the Members there profeſſed I ſhould) be ſhortly called into that Convention, made me not only endeavour to come away, but to haſten to the true Parliament here.

5. Some Clergymen and others do ſpeak a Language there, as if the King ſhould come no other way to his own Dwellings here, unleſs by Conqueſt. But that way of prevailing doth carry the Terror of deſperate Conſequences with it, and is likely (I fear) to lead into *Arbitrary Government* and *Popery* And I have been confident, That the King, with 40 Servants, might come to *Weſtminſter*, and ſtay there with undoubted Safety to his Perſon: So I have ſaid at *Oxford*, and I do ſtill aſſuredly believe ſo, and God will Bleſs him, if he do ſo.

6. I could never reconcile the Ceſſation in *Ireland* to the Vows made in *England*.

7. When

An. 1643.

7. When the firſt Declaration of this Honourable Houſe gave publick Caution of a prevailing Popiſh Party, I confeſs I had then no more but an implicit Faith in that Senſe of the Houſe at that time: It is ſince explicited unto me; and the firſt Scene is plaid home in *Ireland*, which already is the Pope's, Denomination being given *ex majore parte*, ſome late Defections have been to the Romiſh Misbelief, and divers Papiſts are daily truſted with Commands.

For theſe Reaſons, I am come to render my ſelf into the Protection of the Parliament; and that with a clear, candid, hearty Integrity of Reſpect and Duty to this Honourable Houſe. I am come in in an happy hour, when the Providence of Heaven hath brought me in under the Shelter of *A Declaration by both Kingdoms*; who both have therein promiſed, That I ſhall be received into Favour, and that with ſpecial Conſideration of the time of Returning; wherein I have the Honour to be the firſt Suitor that lays hold on the offered Favours.

Moſt humbly therefore I Pray, That your free Reception of me may Seal the full Liberty which is promiſed.

And I ſhall daily pray for the happy Iſſue of all your Conſultations.

Edw. Deering.

His Death, *June* 23. 1644.

This *Petition*, together with a Paper called his *Declaration*, (too long or at leaſt needleſs here to be inſerted) was afterwards Printed by Sir *Edward*'s Directions; who, on *Sunday*, *June* 23. 1644. Dyed at his Houſe not far from *Canterbury* in *Kent*; leaving behind him (beſides his former Prints) a Learned Diſcourſe (Publiſh'd not above a Week before his Death) concerning, *The proper Sacrifice*; wherein he no leſs Solidly than Eloquently Confutes Popiſh *Tranſubſtantiation*.

Sir *Richard Greenvile* goes to the King, *Mar.* 3. 1643.

Sir *Richard Greenvile* a Weſtern Gentleman that had ſerved in *Ireland* againſt the Rebels, coming over about *Auguſt* laſt out of that Kingdom, repaired to *London*, and was entertained by the Parliament, and had 600 *l.* (as 'twas generally ſaid) *Advance-Money* paid him, for raiſing of Forces in *Suſſex* and *Surrey*; with whom, on the 3*d* of *March*, he March'd away to His Majeſty at *Oxford*: At which the Houſes were highly Incenſed, and cauſed Two Gibbets to be Erected, one in the *Pallace-Yard*, *Weſtminſter*, and the other over-againſt the *Royal-Exchange*, where a Proclamation was made by the Provoſt-Marſhal and Trumpeters of *Eſſex*'s Army, in the words following, which were alſo fixed on each of the ſaid Gibbets.

The Paper ſet up againſt him *March* 15.

Whereas Richard Greenvile *hath of late Preſented his Service unto the Parliament, and hath been Entertain'd by the Parliament as Colonel of a Regiment of Horſe: And whereas the ſaid* Greenvile, *contrary to his Promiſe, Engagement, and Honour of a Soldier, hath baſely, unworthily, and faithleſsly deſerted the ſaid Service, and Feloniouſly carried away the Money paid unto him, in regard of the ſaid Service: Theſe are to Proclaim the ſaid* Richard Greenvile, Traytor, Rogue, Villain *and* Skellum, *not only uncapable of Military Imployment, but of all Acquaintance and Converſation with Men of Honeſty and Honour: And this Proclamation in the mean time to be Nailed to the Gallows, whilſt it ſhall pleaſe* GOD *to deliver the ſaid* Greenvile *into the hands of Juſtice, that he himſelf may ſupply the room of this Proclamation.*

Done this 15th of *March*, 1643.

But tho' they thus branded him, yet we muſt be ſo juſt to this Gentleman as not to omit what he ſaid for himſelf, in a Letter to the

the Speaker of the Commons, immediately after his coming, which ſpake as follows:

Sir Richard's Letter to the Speaker, when he went off to the King, Mar. 8. 1644.

SIR,

MY Employment in Ireland *in His Majeſties Army, under the Pay of the Parliament, and my faithful Carriage in it againſt the Rebels there, is ſufficiently known; and to ſay no more of it, ſince it concerns my ſelf, I thank* GOD *I can look back upon thoſe Actions with ſome Comfort; and the more, that I proſecuted with a ſincere Affection, to the upholding the Proteſtant Religion in that Kingdom, ſo well as His Majeſty's juſt and undoubted Right to that Crown. The occaſion of my coming over is well known too; and truly it was with many ſad thought of the Diſtractions and Miſeries of my Native Country. And, I aſſure you, it was without the leaſt deſign of engaging my ſelf; for I knew my Allegiance to my Sovereign was a check to me to lift my hand againſt him: And the reverence I bare to the name of a Parliament (which I find hath and doth deceive many) thwarted any reſolution in offering my Service to His Majeſty where I knew it was due. I contented my ſelf to think I had ſerved Both, without diſlike of either; and that therefore I might intend my own particular; and before I any way engaged my ſelf (if I ſhould do ſo in the future) do it upon Knowledge and not Report. Landing at* Leverpool *in* Auguſt *laſt, I found both there and at* Warrington, *that great Suſpicions were had of me, and alſo of my Lord* Liſle: *That we had brought over great Store of Treaſure, and the Itch was ſo great to Plunder us thereof, and of our Horſes, &c. That it was told me, what we had was moſt uſeful for their good Cauſe in hand; if we were Friends, it ſhould be but Lent, if we were other, they muſt not let ſlip ſuch an advantage. And truly, though we had Inſolencies offered us, yet Colonel* John Booth, *by his Diſcretion and good Uſage of us, kept them from committing thoſe barbarous Injuries, I found they were inclined unto: This wakened me, and I ſoon perceived, That if this were the juſtice of thoſe Pretenders to Religion and Reformation, the many Complaints I had heard from many honeſt Men, were not without cauſe. In ſhort, from thence, with great difficulty, I was permitted to come up with a ſtrict Guard to* London, *whence the ſource and ſpring of all our Miſeries flows. There* Sir, *to ſpeak plain* Engliſh *to you, I found Religion was the Cloak of Rebellion; and it ſeemed not ſtrange to me, when I found there was ſo little left of the Proteſtant Religion, as there were few of the Learned and Reverend Divines that were went to Preach it. There I found the Subjects Liberty had a ſtrange Guard for it, his Conſcience being forced to ſubmit to many unlawful Oaths (though it pleaſed* GOD *I eſcaped them all) his Eſtate was liable upon Interpretation of a Neceſſitous Party, to be exacted from him. And the whole Government there was but a Neceſſity of Oaths, and Money for Subject to Compound, to keep part of their own. The Privileges of Parliament I knew not, many of them, and yet was it very viſible, that the great Privilege of this Parliament was to be none of the former. This, ſome Diſcreet and ſober Friends, in divers particulars, made very clear to me. How the King's Name was uſed againſt himſelf, was as odious to me, as ridiculous. Sir, By this you will ſee I have lived ſome time amongſt you, in which, I muſt confeſs I endeavoured to have diſpatched ſome of my own occaſions concerning my private Fortune; but without it were obliging me in ſome Command, which I conceive had an Eye to your own Service, I found ſo little Service as any other Man. At laſt I conceived, That this might be a deſign to have a Hold and Engagement upon me, in a Service I was ſo ill ſatisfied in. Therefore I withdrew my ſelf to my becoming and lawful duty to His Majeſty: At whoſe Feet I have now laid my ſelf; from whence no Fortune, Terror, or Cruelty ſhall make me ſwerve. This, Sir, in ſatisfaction to you and the World; So I reſt, as I expect you ſhould term me,*

Oxford, March 8. 1643.

Your malignant Servant,

Richard Greenvile.

To the Honourable *William Lenthal*, Speaker of the Houſe of Commons at *London*, preſent theſe.

Die

An. 1643.

Die Veneris 15. *Martii*, 1643.

Vote to prepare Propoſitions for Peace, *Mar.* 15. 164⅔.

REſolved upon the Queſtion, That it be referred to a Committee of both Kingdoms to conſider of, and prepare ſome Grounds for ſettling a juſt and ſafe Peace in all His Majeſty's Dominions, ſuch as both Kingdoms may conſent unto and Proſecute.

A Speech by *Whitlock*, on this Debate, touching preparing Propoſitions for Peace.

Mr. Speaker,

IT would be no wonder to ſee an unanimous Concurrence of the whole Houſe, in furthering Propoſitions for a good Peace.

The Calamities of our Diſtractions have brought us to it; and who is there amongſt us, that hath not in ſome meaſure felt the ſtrokes of them: I am ſure I have ſmarted by them.

We may here ſay, but I hope never with the like application, what Tacitus *ſaid of the* Romans, Omnia diſcordiis Civilibus feſſa: *The Land is weary of our Diſcords, being thereby polluted with our Blood.*

GOD *hath given you great Succeſſes in many Places, againſt our Enemies, and ſometimes he is pleaſed to give our Enemies Succeſſes againſt us: In all of them, whether of the one or the other Party, the poor* Engliſh *are ſtill Sufferers.*

Whoſe Goods (I pray Sir) are Plundered? Whoſe Houſes are Burnt? Whoſe Limbs are Cut or Shot off? Whoſe Perſons are thrown into loathſom Dungeons? Whoſe Blood ſtains the Walls of our Towns, and defiles our Land?

Is it not all Engliſh? *and is it not then time for us, who are all* Engliſh-*men, to beware of theſe Diſcords, and to uſe our utmoſt endeavors to put an end to them.*

I know, Sir, *you are all here of the ſame Opinion with me in this point; and that it was an unhappy miſtake of thoſe who told us in the beginning of our Warfare, that it would be only to ſhew our ſelves in the Field with a few Forces, and then all would be preſently ended.*

We have found it otherwiſe, let us now again ſeek to recover theſe Bleſſings of Peace whereof we are told, That Nihil tam populare quam pax, *that nothing is than Peace more gracious to be heard of, more pleaſing to be deſired, and more profitable to be enjoyed.*

I am ſorry we have ſo much and ſo ſad experience as well as other Arguments to convince us of this Truth.

You think it beſt to refer it to the Committee of both Kingdoms, and you cannot find more able and faithful Men to truſt in this buſineſs: The Lords think fit that another Committee be named, to whom this may be referred.

Whilſt we differ upon the Committee we loſe the buſineſs, and do not purſue Peace. I am perſwaded, Sir, *you can hardly name any Committee either within or without theſe Walls, but would be ready to take Pains to effect this good Work.*

Unleſs it were thoſe who have ſaid, That if this War be well managed, it may laſt Twenty Years: But theſe were not Engliſh-*men; and although we have* Iriſh, French, Dutch, *and* Walloons, *as well as other Papiſts engaged for the Settlement of the Proteſtant Religion and Laws of* England;

Yet I am perſwaded, That His Majeſty and you mutually endeavouring (as it is both your Intereſts) none can hinder it.

It is true, theſe Foreigners help to open the Veins wider; but a Peace will rid us of them, and ſtop the iſſue of Blood; but if it bleed on ſtill we muſt faint, and perhaps become a Prey to Foreigners.

Sir, *I humbly move, That we may endeavour, without more loſs of time, to ſatisfie the Lords with Reaſons, That it is fitteſt to have this matter referred to the Committee of both Kingdoms.*

Yet if their Lordſhips ſhould not be ſatisfied herein, let us conſent to name another Committee, rather than to ſuffer ſo deſirable a buſineſs to be protracted: Let us conſent to any thing that is Juſt, Reaſonable, and Honourable, rather than in the leaſt to neglect to ſeek Peace, and to enſue it.

CHAP.

19 *Caroli.*

Chap. XIII.

Containing Paſſages relating to the Scots, *in the Years,* 1642. *and* 1643. *and Tranſactions both of the King and the Parliament with them, until the Advance of their Army into* England, January *the* 15*th.* $164\frac{3}{4}$.

THE *Scots* Commiſſioners, reſident at *London,* touching the Treaty for their ſending over Forces againſt the Rebels in *Ireland,* on the 15*th* of *January,* $164\frac{1}{2}$. delivered Two Papers, One to the King, the Other to the Two Houſes, taking notice of the then growing Differences between His Majeſty and His Two Houſes of Parliament, which has been recited in its proper place, together with the Kings Reſentments thereof.

In the Month of *July* following, the *Engliſh* Parliament ſent a Declaration into *Scotland,* expreſſing their apprehenſions of Dangers, their deſires to prevent effuſion of Blood, and their Affections to Reformation both in Church and State: To which the General Aſſembly of the Kirk of *Scotland* returned this Anſwer:

Aug. 3 1642. An Anſwer of the General Aſſembly of *Scotland,* to the Declaration of the Parliament of *England.*

THe General Aſſembly of the Kirk of *Scotland* having received a Declaration ſent unto them by the Commiſſioners of this Kingdom, now at *London,* from the Honourable Houſes of the Parliament of *England,* expreſſing their Care to prevent the effuſion of Chriſtian Blood in that Kingdom, and their affections to Reformation both in Kirk and State: And having taken the ſame to ſuch conſideration as the Importance of ſo weighty Matters, and the high eſtimation they have of ſo Wiſe and Honourable Aſſembly, as is the Parliament, of *England* did require, have, with univerſal conſent, reſolved upon this following Anſwer:

1. That from the recent Senſe of the goodneſs of *GOD,* in their own late deliverance, and from their earneſt deſire of all happineſs to Their native King, and that Kingdom; they bleſs the Lord for preſerving them in the midſt of ſo many unhappy Diviſions and Troubles from a bloody Inteſtine War, which is from *GOD* the greateſt Judgment, and to ſuch a Nation the Compend of all Calamities. They alſo give *GOD* thanks for their former and preſent deſires of a Reformation, eſpecially of Religion, which is the Glory and Strength of a Kingdom, and bringeth with it all Temporal Bleſſings of Proſperity and Peace.

2. That the Hearts of all the Members of this Aſſembly, and of all the well-affected in this Kingdom, are exceedingly grieved and made heavy, That in ſo long a time, againſt the Profeſſions both of King and Parliament, and contrary to the joynt Deſires and Prayers of the Godly in both Kingdoms, to whom it is more dear and pretious than what is deareſt to them in the World, the Reformation of Religion hath moved ſo ſlowly, and ſuffered ſo great interruption. They conſider, That not only Prelates, formal Profeſſors, prophane and worldly Men, and all that are *Popiſhly* affected, are bad Counſellors and Workers, and do abuſe their Power, and bend all their Strength and Policies againſt the Work of *GOD,* but the *GOD* of this World alſo, with Principalities and Powers, the Rulers of the Darkneſs of this World, and Spiritual Wickedneſſes in High-places, are working with all their Force and Fraud in the ſame oppoſition, not without hope of Succeſs; they having prevailed

An. 1643. vailed ſo far from the beginning, That in the time of the beſt Kings of *Judah* of old, and the moſt part of the Reformed Kirks of late, a thorough and perfect Reformation hath been a work of great difficulty. Yet do they conceive, That as it ought firſt of all to be intended, ſo ſhould it be above all other things with confidence in *GOD*, who is greater than the World, and he who is in the World, moſt ſeriouſly endeavoured. And that when the Supreme Providence giveth opportunity of the accepted time and day of Salvation, no other Work can proſper in the hands of his Servants, if it be not apprehended, and with all Reverence and Faithfulneſs improved. This Kirk and Nation, when the Lord gave the Calling, conſidered not their own deadneſs, nor ſtaggered not at the promiſe through unbelief, but gave Glory to *GOD*; and who knoweth (We ſpeak it in Humility and Love, and from no other mind than from a deſire of the Bleſſing of *GOD* upon our King and that Kingdom) but the Lord hath now ſome Controverſie with *England*, which will not be removed, till firſt and before all the Worſhip of His Name, and the Government of His Houſe be ſettled according to His own Will: When this deſire ſhall come, it ſhall be to *England*, after ſo long deferred hopes, a Tree of Life, which ſhall not only yield Temporal Bleſſings unto themſelves, but alſo ſhall ſpread the branches ſo far, that both this Nation, and other Reformed Kirks, ſhall find the Fruits thereof to their greater ſatisfaction.

The Commiſſioners of this Kingdom, in the late Treaty of Peace, conſidering that Religion is not only the mean of the Service of God, and ſaving of Souls, but is alſo the Baſe and Foundation of Kingdoms and Eſtates, and the ſtrongeſt Band to tye Subjects to their Prince, in true Loyalty; and to knit the Hearts of one to another in true Unity and Love, did with Preface of all due Reſpect and Reverence, far from Arrogance or Preſumption, repreſent in Name of this Kingdom, their ſerious Thoughts, and earneſt Deſires, for Unity of Religion, that in all His Majeſties Dominions there might be one Confeſſion of Faith; one Directory of Worſhip; one publick Catechiſm; and one Form of Church Government: This they conceived to be acceptable to God Almighty, who delighteth to ſee his People walking in Truth and Unity: To be a ſpecial means for Conſerving of Peace betwixt the Two Kingdoms; Of eaſing the Kings Majeſty, and the publick Government of much Trouble, which ariſeth from Differences of Religion, very grievous to Kings and Eſtates; of great Content to the King Himſelf, to His Nobles, His Court, and His People, when occaſioned to be abroad, that without ſcruple to themſelves, or ſcandal to others, all may reſort to the ſame publick Worſhip as they were at their own Dwellings: Of ſuppreſſing the Names of Hereſies, and Sects, Puritans, Conformiſts, Separatiſts, Anabaptiſts, *&c.* which do rent aſunder the Bowels both of Kirk and Kingdom: Of deſpair of Succeſs to Papiſts and Recuſants to have their Profeſſion, which is inconſiſtent with the true Proteſtant Religion, and Authority of Princes ſet up again: And of drawing the Hearts and Hands of Miniſters from unpleaſant and unprofitable Controverſies, to the preſſing of Mortification, and to Treatiſes of true Piety, and Practical Divinity. The Aſſembly doth now enter upon the labour of the Commiſſioners, unto which they are encouraged, not only by their Faithfulneſs in the late Treaty, but alſo by the Zeal and Example of the General Aſſemblies of this Kirk in former times, as may appear by the Aſſembly at *Edinburgh*, *December* 25. in the Year 1566, which ordained a Letter to be ſent into *England* againſt the *Surplice*, *Tippet*, *Corner-Cap*, and ſuch other Ceremonies as then troubled that Kirk, that they might be removed; By the Aſſembly at *Edinburgh*, *April* 24. 1583. humbly deſiring the Kings Majeſty to Command His Embaſſador then going into *England*, to deal with the Queen, that there might be a Union and Band betwixt them and other Chriſtian Princes and Realms, Profeſſing the True Religion for Defence and Protection of the Word of *GOD*, and Profeſſors thereof, againſt the Perſecutions of *Papiſts*, and Confederates joyned and knit together by the bloody League of *Trent*; as alſo, That Her Majeſty would disburthen their Brethren of *England*, of the Yoke of *Ceremonies*, impoſed upon them againſt the liberty of the Word; And by the Aſſembly at *Edinburgh*, *March* 3. 1589. ordaining the Presbytery at *Edinburgh* to uſe all good and poſſible means for the Relief and Comfort of the Kirk of *England*, then heavily troubled for maintaining the True Diſcipline and Government of the Kirk: And that the Brethren in their private and publick

lick Prayers recommend the Estate of the afflicted Kirk of *England* to GOD. While now, by the Mercy of GOD, the conjunction of the Two Kingdoms is many ways encreased: The Zeal of the General Assembly towards their Happiness ought to be no less: But besides these, the Assembly is much encouraged to this Duty, both from the King's Majesty and His Parliament, *jointly* in their Answer to the Proposition made by the late Commissioners of the Treaty in these words: *To their desires concerning Unity of Religion, and Uniformity of Kirk Government, as a special means for conserving of Peace betwixt the Two Kingdoms, upon the Grounds and Reasons contained in the Paper of the 10th of* March, *and given in to the Treaty and Parliament of* England. *It is answered upon the 15th of* June, *That His Majesty, with the advice of Both Houses of Parliament, doth approve of the Affection of His Subjects of* Scotland, *in their desire of having Conformity in Kirk-Government, between the Two Nations: And as the Parliament hath already taken into Consideration the Reformation of Kirk-Government, so they will proceed therein in due time, as shall best conduce to the Glory of* GOD, *the Peace of the Kirk, and of Both the Kingdoms.* And also *severally*; for His Majesty knoweth, That the Custody and Vindication, the Conservation and Purgation of Religion are a great part of the Duty of Civil Authority and Power. His Majesty's late Practice, while he was here in Person, in resorting frequently to the exercises of publick Worship: His Royal Actions in establishing the Worship and Government of this Kirk in Parliament, and in giving Order for a competent maintenance to the Ministry and Seminaries of the Kirk: And His Majesty's Gracious Letter to the Assembly (seconded by the Speech of His Majesty's Commissioners) which containeth this Religious expression; *Where any thing is amiss we will endeavour, in a fair and orderly way, a Reformation: And where Reformation is settled, We resolve with that Authority wherewith* GOD *hath vested Us to maintain and defend it in Peace and Liberty, against all trouble that can come from without, and against all Heresies, Sects, and Schisms which may arise from within:* All these do make us hopeful, That His Majesty will not oppose but advance the work of Reformation. In like manner, the Honourable Houses of Parliament, as they have many times before Witnessed their Zeal, so now also in their Declaration sent to the Assembly, which not only sheweth the constancy of their Zeal, but their great Grief, that the Work hath been interrupted by a malignant Party of Papists, and evil-affected Persons, especially of the corrupt and dissolute Clergy, by the incitement and instigation of Bishops and others. Their hopes, according to their earnest desire, when they shall return to a peaceable and Parliamentary proceeding, by the blessing of GOD, to settle such a Reformation in the Church, as shall be agreeable to GOD's Word; and that the result shall be a most firm and stable Union between the Two Kingdoms of *England* and *Scotland*, &c. The Assembly also is not a little encouraged by a Letter sent from many Reverend Brethren of the Kirk of *England*, expressing their Prayers and endeavours against every thing which shall be found prejudicial to the establishment of the Kingdom of CHRIST, and the Peace of their Sovereign. Upon these encouragements, and having so potent a door of Hope, the Assembly doth confidently expect, That *England* will now bestir themselves in the best way for a Reformation of Religion, and do most willingly offer their Prayers and utmost endeavours for furthering so great a Work, wherein CHRIST is so much concern'd in his Glory, the King in his Honour, the Kirk and the Kingdom in their Happiness, and this Kirk and Kingdom in the purity and peace of the Gospel.

19 *Caroli*

4. That the Assembly also, from so many real Invitations, are heartned to renew the Proposition made by the aforenamed Commissioners of this Kingdom, for beginning the work of Reformation, at the Uniformity of Kirk-Government; for what hope can there be of Unity in Religion, of one Confession of Faith, one Form of Worship, and one Catechism, till there be first one Form of Ecclesiastical Government; yea, what hope can the Kingdom and Kirk of *Scotland* have of a firm and durable Peace, till Prelacy, which hath been the main cause of their Miseries and Troubles first and last, be pluck'd up Root and Branch, as a Plant which GOD hath not Planted, and from which no better Fruit can be expected, than such four Grapes, as this day set on edge the Kingdom of *England*.

An. 1643.

5. The Prelatical Hierarchy being put out of the way, the work will be eaſie, without forcing any Conſcience, to ſettle in *England* the Government of the Reformed Kirks by Aſſemblies: For although the Reformed Kirks do hold, without doubting their Kirk-Officers and Kirk-Government, by Aſſemblies higher and lower in their ſtrong and beautiful Subordination, to be *Jure divino* and perpetual; yet Prelacy, as it differeth from the Office of a Paſtor, is almoſt univerſally acknowledged by the Prelates themſelves, and their adherents, to be an human Ordinance, introduced by human Reaſon, and ſettled by human Law and Cuſtom, for ſuppoſed conveniency; which therefore, by human Authority, without wronging any Man's Conſcience, may be altered and aboliſhed upon ſo great a neceſſity, as is a hearty Conjunction with all the Reformed Kirks, a firm and well-grounded Peace between the Two Kingdoms formerly divided in themſelves and betwixt themſelves, by this Partition-Wall, and a perfect Union of the Two Kirks in the Two Nations, which, although by the Providence of *GOD* in one Iſland, and under one Monarch, yet ever ſince the Reformation, and for the preſent alſo are at great difference in the point of Kirk-Government, which in all places hath a more powerful influence upon all parts of the ſame Religion, than any other Reformed Kirks, although in Nations at greateſt diſtance, and under divers Princes.

6. What may be required of the Kirk of *Scotland* for furthering the Work of Uniformity of Government, or for agreeing upon a common Confeſſion of Faith, Catechiſm, and Directory for Worſhip, ſhall, according to the order given by this Aſſembly, be moſt willingly performed by Us, who long extremely for the Day, when King and Parliament ſhall joyn, for bringing to paſs ſo great ſo good a Work: That all Wars and Commotions ceaſing, all Superſtition, Idolatry, Hereſie, Sects and Schiſms being removed; as the Lord is One, ſo His Name may be One, amongſt us; And Mercy and Truth, Righteouſneſs and Peace meeting together, and kiſſing one another, may dwell in this Iſland.

St. Andrews, Aug. 3. 1642. Johnſton, *Cler. Eccle.*

The Parliaments Approbation of the Scots *Declaration for Mutual Reformation.*

WE the Lords and Commons in Parliament Aſſembled, having with much Contentment peruſed the Brotherly and Chriſtian anſwer, which the General Aſſembly of the Church of *Scotland* have made unto the Declaration formerly ſent unto them from Us; and finding therein great Expreſſions of Love to this Church and Kingdom, and of Prudence and Faithfulneſs in propounding thoſe things which may conduce to a more cloſe and firm Union of the Two Churches and Nations of *England* and *Scotland*, in preſerving and maintaining the Truth and Purity of the Reformed Religion, not only againſt *Popery*, but againſt all other Superſtitious Sects and Innovations whatſoever, have thereupon reſumed into our Conſideration and Care, the matters concerning the Reformation of Church-Government and Diſcipline, which we have often had in Conſultation and Debate ſince the beginning of this Parliament; and ever made it our chiefeſt Aim, though we have been frequently interrupted, and powerfully oppoſed in the proſecution and accompliſhment of it.

And however, we continue ſtill in the Storm and Conflict, finding ſmall abatement of difficulty, and much encreaſe of Malignity and Perverſneſs, in the oppoſition wherewith this great and neceſſary work of Reformation is encountered; yet we heartily thank *GOD*, and rejoyce with our Brethren of *Scotland*, for that Peace, Liberty, and Preſervation which *GOD* hath afforded them, taking it as a pledge and earneſt of the like Mercy intended to us in His good time; and hoping that he will not only free us from the moſt grievous and deſtructive Miſeries and Calamities of a Civil-War, but graciouſly perfect our Deſigns and Endeavours of a full Reformation in all matters appertaining to Religion; which, as it is the greateſt Honour and Service

which

19 *Caroli.*

which *GOD* receives from His People, ſo we acknowledge with our Brethren, That it is the ſureſt foundation of Glory, Strength and Happineſs which he beſtows upon any Nation.

The manifold obſtructions and impediments which we have met with in ſeeking this great Bleſſing, do give to us, and all *GOD*'s People, great cauſe of Grief, and works in us an earneſt longing for the removal of them; yet knowing, that all the wonderful Works of *GOD* in this kind have been brought to perfection through many oppoſitions and ſeeming impoſſibilities, that ſo the concluſion might be more glorious to His Divine Majeſty, and comfortable to His Children, we cannot but in humility and ſubmiſſion expect the like iſſue of our wreſtling and ſtriving with that fierce and peremptory oppoſition which hath been framed and acted againſt us, by the ſubtile and buſie Engines of Satan, the moſt peſtilent Incendiaries among us, the Jeſuits from abroad, a virulent and diſcontented Party at home, conſiſting of the Prelatical Clergy, Atheiſtical Projectors againſt Religion, Prophane and Senſual Self-lovers, heightned and enflamed againſt Us, with a Spirit of malignity beyond the example of former Times, wherein we have had manifold occaſions to diſcern both Our own Weakneſs and Imperfections, and the Divine Mercy and Goodneſs; and to hope that *GOD* having upheld us ſo long beyond our own Strength and Merit, will bring us through at laſt to the full accompliſhment of his own Praiſe, and of the Joy of this and other Churches.

We acknowledge it an act of Love to Us, and of Wiſdom for the good of both Churches, for which We are thankful both to *GOD* and them, that Our Brethren of *Scotland* have beſtowed their ſerious Thoughts and earneſt Deſires for Unity of Religion: That in all His Majeſty's Dominions there might be One Confeſſion of Faith, One Directory of Worſhip, One Publick Catechiſm, and One Form of Church-Government. And although it will hardly be obtained punctually and exactly, unleſs ſome way might be found for a mutual Communication and Conjunction of Counſel and Debate, in framing that one Form; yet both intending the ſame end, proceeding by the ſame Rule of *GOD*'s Word, and guided by the ſame Spirit; We hope, by *GOD*'s aſſiſtance, to be ſo directed, that we may caſt out whatſoever is offenſive to *GOD*, or juſtly diſpleaſing to any Neighbour-Church; and ſo far agree with our Brethren of *Scotland*, and other Reformed Churches, in all ſubſtantial parts of Doctrine, Worſhip, and Diſcipline, that both we and they may enjoy thoſe Advantages and Conveniencies which are mentioned by them in this their anſwer, in the more ſtrict Union of both Kingdoms, more ſafe, eaſie, and comfortable Government of His Majeſty, and both to Himſelf and People more free Communion in all Holy Exerciſes and Duties of Worſhip, more conſtant ſecurity of Religion, againſt the bloody Practices of *Papiſts* and deceitful Errors of other Sectaries, and more profitable uſe of the Miniſtry, for the compaſſing and attaining whereof, we intend to uſe the labour and advice of an Aſſembly of Godly Learned Divines; for the convening of whom, a Bill hath already paſt both Houſes, which had taken effect long ſince, if we could have obtained His Majeſty's Royal Conſent thereunto: All which conſidered, we acknowledge the faithful and affectionate Expreſſions of our Brethren in wiſhing and deſiring this great advantage for Us, doth fully deſerve Thanks, which we have formerly expreſſed, and no whit ſtand in need of that Apology which they are pleaſed for to make.

The main cauſe which hitherto hath deprived Us of theſe and other great advantages which we might have, by a more cloſe Union with the Church of *Scotland*, and other Reformed Churches, is the Government by Biſhops, which to ſtrengthen it ſelf hath produced many other differences in Diſcipline and Ceremonies betwixt them and Us, and is apt to work in the minds of thoſe who are the approvers and defenders of it, ſuch a diſeſteem of, and oppoſition to thoſe Churches as makes us deſpair of that moſt beneficial and deſirable conjunction with them, until this great impediment be removed: Whereupon we have entred into a ſerious conſideration what good we have received from this Government by Biſhops, which may countervail ſuch a Loſs and Inconvenience; and we are ſo far from apprehending any ſatisfaction herein, that we plainly perceive it a cauſe of many other Calamities, Dangers, and intolerable Burthens, being a diſhonour to *GOD*, by arrogating to themſelves a preheminence and power which He hath not given them, by prophaning the purity

An. 1643. purity of His Ordinances, with the mixture of their own Injunctions, by withſtanding the frequent and powerful Preaching of the Goſpel, that ſo their uſurped Authority might receive more eaſie admittance into the ignorant, miſguided Conſciences of Men, by corrupting the Miniſtry with Pride, Ambition, Covetouſneſs, Idleneſs, and Luxury, by ſuppreſſing the Spiritual Power and Efficacy of Religion, and turning it into Formality and Pomp, by enclining to *Popery*, the Principles thereof being ſuitable to that Government, and contrary to thoſe Principles which were the firſt grounds of Reformation: We likewiſe find it moſt pernicious to the Civil State and Common-wealth, in that the Biſhops have ever been active to infuſe into Our Kings ſuch Tenents and Poſitions as are contrary to the Fundamental Laws of the Kingdom, and apt to introduce Tyranny and an Arbitrary Power over the Lives, Liberties, and Propriety of the Subject; and that they have been forward to incite the King againſt His People, and by force of Arms to conſtrain them to ſubmit to ſuch an Arbitrary Government; and by unlawful Contribution of Money to aſſiſt His Majeſty in making War upon His Subjects, whereof there are many Evidences, both in thoſe Preparations which not long ſince were made to Invade *Scotland*, and in the War now raiſed againſt the Parliament and Kingdom of *England*; and yet they have ſhewn themſelves ſo ambitious of Sovereignty, that they forbear not to maintain in Sermons and Printed Books, That the King's Scepter ought to ſubmit to *Aaron's* Rod, and the Mitre to be above the Sword, which argues in them an Antichriſtian Spirit, to exalt themſelves above all that is called GOD, and a deſign (when they have brought the Kingdom to be diſpoſed at their Pleaſure) to ſubject His Majeſty to their own Arbitrary Cenſures, that themſelves may Triumph in the Bondage both of King and People.

Upon all which, and many other Reaſons, We do declare, That this Government by Arch-Biſhops, Biſhops, their Chancellors, and Commiſſaries, Deans and Chapters, Arch-deacons, and other Eccleſiaſtical Officers depending upon the Hierarchy, is evil, and juſtly offenſive and burthenſome to the Kingdom, a great impediment to Reformation and growth of Religion, very prejudicial to the State and Government of this Kingdom; and that We are reſolved, that the ſame ſhall be taken away. And according to Our former Declaration of the ſeventh of *February*, Our purpoſe is to Conſult with Godly and Learned Divines, that We may not only remove this, but ſettle ſuch a Government as may be moſt agreeable to Gods Holy Word, moſt apt to procure, and conſerve the Peace of the Church at home, and happy Union with the Church of *Scotland*, and other Reformed Churches abroad, and to eſtabliſh the ſame by a Law, which We intend to frame for that purpoſe, to be preſented to His Majeſty for His Royal Aſſent. And in the mean time, humbly to beſeech His Majeſty, that a Bill for the Aſſembly may be paſſed in time convenient, for the Meeting to be by the fifth of *November* next, the miſerable Eſtate of Church and Kingdom not being able to endure any longer delay.

This being the Reſolution of both Houſes of Parliament, We do deſire Our Brethren of *Scotland* to concur with Us in Petitioning His Majeſty, That His Royal Authority may be applied to the Conſervation of a firm Unity between the two Kingdoms; and that they likewiſe will think Good to ſend to the ſame Aſſembly ſome Godly and Learned Divines of that Church, whereby an Uniformity in Form of Church Government may be obtained, and thereby a more eaſie paſſage made to the ſettling of one Confeſſion of Faith, one Liturgy, or Directory of the publick Worſhip, and one Catechiſm in all Three Kingdoms, which We hope, through Gods Bleſſing, will have ſuch an effect in all His Majeſties Dominions, as will much advance the Honour and Service of GOD; enlarge the Greatneſs, Power, and Glory of the King; confirm the Peace, Security, and Proſperity of all His good Subjects; make way to the Relief and Deliverance of the poor afflicted Churches abroad; and to the total Aboliſhing of the Uſurpation and Tyranny of *Rome*, being the prime Cauſe and Fountain of all the Miſeries and Calamities, the bloody Maſſacres, Outrages, Cruelties, and bitter Perſecution of GOD's People in all the Chriſtian World for many Ages.

The aforeſaid Aſſembly of the Kirk alſo at the ſame time ſent a Petition to the Council in *Scotland*, deſiring they would join in it, to the King, for an *Uniformity* in Church-Government throughout all His Domi-

Dominions. And alſo that in Conſideration of the Commotions in *England*, the *Conſervators of the Peace* (a Court Eſtabliſh'd by the late Parliament in *Scotland*, to look after the Preſervation of the Articles of the late Treaty with *England*) might meet: The Marquis *Hamilton* (who had parted with the King at *York*, and came to *Edinburgh* about the beginning of *July*, to advance His Majeſties Intereſt in that Kingdom,) oppoſed this what he could, but yet it was carried; And the King gave them the following Anſwer in a Letter to the Council.

19 *Caroli.*

Conſervators of the Peace, their Office.

CHARLES *R.*

Kings Letter to the Council of *Scotland*, *Aug.* 26. 1642.

BY your Letter to Us of the Nineteenth of this inſtant Auguſt, *We find you concur with Our late General Aſſembly in their Deſire to Us about Unity of Religion, and Uniformity of Church Government in all Our Three Kingdoms; which cannot be more earneſtly Deſired by you, than it ſhall be really endeavoured by Us, in ſuch a way as We in Our Conſcience conceive to be beſt for the flouriſhing Eſtate of the true Proteſtant Religion. But as for joining with Our Houſes of Parliament here in this Work, it were improper at this time to give any Anſwer; For ſince their Meeting they have never made any Propoſition to Us concerning Unity of Religion, or Uniformity of Church-Government: So far are they from deſiring any ſuch Thing, as We are Confident the moſt conſiderable Perſons, and thoſe who make faireſt Pretenſions to you of this kind, will no ſooner Embrace a Presbyterial, than you an Epiſcopal. And truely it ſeems, (notwithſtanding whatſoever Profeſſion they have made to the contrary) that nothing hath been leſs in their Minds than ſetling of the true Religion, and Reforming ſuch Abuſes in the Church-Government, as poſſibly have crept in, contrary to the Eſtabliſht Law of the Land; to which We have been ſo far from being Averſe, that We have by divers Declarations, and Meſſages, preſſed them to it, though hitherto it hath been to ſmall purpoſe. But whenever any Propoſition ſhall be made to Us by them, which We ſhall conceive may any way advance the Unity of the true Proteſtant Religion, according to the Word of GOD; or Eſtabliſh the Church-Government, according to the known Laws of the Kingdom, We ſhall by Our chearful joyning with them, let the World ſee, that nothing can be more acceptable unto Us, than the furthering and advancing of ſo good a Work; ſo we bid you Farewel.*

From *Nottingham*, the 26th of *Auguſt*, 1642.

The Scottiſh Commiſſioners having concluded the Treaty about the Forces to be ſent into *Ireland*, returned about the end of *Auguſt* into *Scotland*; But then the Council there ſent the Earl of *Lindſey*, and Sir *John Smith*, to lie at *London* for Correſpondence.

In *November* the Two Houſes in *England* paſs'd the following Declaration.

The Declaration of the Lords and Commons Aſſembled in the Parliament of England, *to the Subjects of* Scotland.

The Two Houſes Declaration to the Subjects of *Scotland*, *Nov.* 7. 1642.

WE the Lords and Commons Aſſembled in the Parliament of *England*, conſidering with what Wiſdom, and publick Affection, Our Brethren of the Kingdom of *Scotland* did concur with the Endeavours of this Parliament, and the Deſires of the whole Kingdom, in procuring and eſtabliſhing a firm *Peace and Amity between the Two Nations*; And how Lovingly ſince they have invited Us to a nearer and higher Degree of Union in Matters concerning Religion and Church-Government, which We have moſt willingly and affectionately Imbraced, and intend to purſue, cannot doubt but they will, with as much Forwardneſs and Affection, concur with Us in ſetling Peace in this Kingdom, and preſerving it in their Own; that ſo We may mutually reap the Benefit of that Amity and Alliance, ſo happily made, and ſtrongly confirmed, betwixt the Two Nations. Wherefore, as We did about a year ſince, in the firſt appearance of Trouble, then beginning amongſt them, actually Declare, That in Our Sence and Apprehenſion of the National Alliance betwixt Us, We

An. 1643. We were thereby bound to apply the Authority of Parliament and Power of this Kingdom to the Preſervation and Maintenance of their Peace; And ſeeing now that the Troubles of this Kingdom are grown to a greater height, and the ſubtile Practices of the Common Enemy of the Religion and Liberty of both Nations, do appear with more evidence, ſtrength and danger than they did at that time, We hold it neceſſary to declare, That in Our Judgment the ſame Obligation lies upon Our Brethren, by the afore-mentioned Act, with the Power and Force of that Kingdom to aſſiſt Us, in repreſſing thoſe amongſt Us who are now in Arms, and make War, not only without conſent of Parliament, but even againſt the Parliament, and for the deſtruction thereof.

Wherefore We have thought good to make known to Our Brethren, That His Majeſty hath given Commiſſion to divers eminent and known Papiſts to raiſe Forces and compoſe an Army in the North, and other parts of this Kingdom, which is to joyn with divers Foreign Forces, intended to be Tranſported from beyond the Sea, for the deſtruction of this Parliament, and of the Religion and Liberty of the Kingdom; and that the Prelatical part of the Clergy and their Adherents, have likewiſe Invited His Majeſty to raiſe another Army, which in His own Perſon He doth conduct againſt the Parliament and the City of *London*, Plundering and Robbing ſeveral Well-affected Towns within their Power: And that in proſecution of their Malice, they are ſo preſumptuous and predominant of His Majeſty's Reſolution, that they forbear not thoſe Outrages in places to which His Majeſty hath given His Royal Word and Protection. A great Cauſe and Incentive of which Malice proceeds from the deſign they have to hinder the Reformation of Eccleſiaſtical Government in this Kingdom, ſo much longed for by all the true Lovers of the Proteſtant Religion. And hereupon We further deſire Our Brethren of the Nation of *Scotland*, to raiſe ſuch Forces as they ſhall judge ſufficient for ſecuring the Peace of their own Borders againſt the ill-affected Perſons there: As likewiſe to aſſiſt Us in ſuppreſſing the Army of Papiſts and Foreigners: Which, as we expect, will ſhortly be on foot here; and, if they be not timely prevented, may prove as miſchievous and deſtructive to that Kingdom, as to Our ſelves.

And though We ſeek nothing from His Majeſty that may diminiſh His juſt Authority or Honour; and have by many humble Petitions, endeavoured to put an end to this unnatural War and Combuſtion in the Kingdom, and to procure His Majeſty's Protection and Security for Our Religion, Liberty and Perſons; according to that great Truſt which His Majeſty is bound to by the Laws of the Land; and ſhall ſtill continue to renew Our Petitions in that kind: yet, to Our great Grief, We ſee the Papiſtical and Malignant Counſels ſo prevalent with His Majeſty, and His Perſon ſo engaged to their Power, that We have little hope of better Succeſs of Our Petitions than We formerly had, and are thereby neceſſitated to ſtand upon Our juſt defence, and to ſeek this ſpeedy and powerful Aſſiſtance of Our Brethren of *Scotland*, according to that Act agreed upon in the Parliament of both Kingdoms, the common duty of Chriſtianity, and the particular Intereſts of their own Kingdom.

To which We hope *GOD* will give ſuch a Bleſſing, that it may produce the preſervation of Religion, the Honour, Safety, and Peace of His Majeſty and all His Subjects, and a more ſtrict conjunction of the Counſels, Deſigns, and Endeavours of both Nations for the Comfort and Relief of the Reformed Churches beyond Sea.

Novemb. 7. 1642.

Hen. Elſyng. Cler. Par. D. Com.

Joh. Browne, *Cler. Parl.*

His

19 *Caroli*

His Majeſty's Meſſage to the Lords of His Privy-Council of Scotland, *upon occaſion of the ſaid Declaration.*

King's Meſſage to *Scotland*, touching the foregoing Declaration, *Dec.* 6. 1642.

RIght Truſty, and Right Well-beloved Couſins and Counſellors; and Right Truſty and Well-beloved Counſellors; We Greet you well: We have lately ſeen a Paper preſented to Us, by the Earl of *Lindſey*, as a Declaration of the Lords and Commons Aſſembled in the Parliament of *England*, of the Seventh of *November*, to Our Subjects of Our Kingdom of *Scotland*; which after many high Taxes of Us and Our Government, very earneſtly Invites, and in a manner Challenges Aſſiſtance from that Our Native Kingdom, of Men and Arms, for making a War againſt Us, making a claim to that Aſſiſtance, by vertue of the late Act *of Pacification*; to the which (out of Our deſire to make a perpetual Union between Our Two Kingdoms, for the happineſs of both; and by it the more firmly to eſtabliſh Our own Greatneſs and juſt Power) We chearfully conſented.

As We are at Our Soul afflicted, that it hath been in the power of any Factious, Ambitious, and Malicious Perſons, ſo far to poſſeſs the Hearts of many of Our Subjects of *England*, as to raiſe this miſerable Diſtemper and Deſtruction in this Kingdom, againſt all Our real Actions and Endeavours to the contrary; ſo We are glad, that this Rage and Fury hath ſo far tranſported them, that they apply themſelves in ſo groſs a manner to Our Subjects of *Scotland*, whoſe experience of Our Religion, Juſtice, and love of Our People will not ſuffer them to believe thoſe horrid Scandals laid upon us; and their Affection, Loyalty, and Jealouſie of Our Honour will diſdain to be made Inſtruments to oppreſs their Native Sovereign, by aſſiſting an odious Rebellion.

We have from time to time acquainted Our Subjects of that Kingdom, with the Accidents and Circumſtances which have diſquieted this; how (after all the acts of Juſtice, Grace, and Favour, performed on Our part, which were, or could be deſired to make a People compleatly happy) We were driven by the force and violence of rude and tumultuous Aſſemblies, from Our City of *London*, and Our Two Houſes of Parliament: How Attempts have been made to Impoſe Laws upon Our Subjects, without Our Conſent, contrary to the Foundation and Conſtitution of this Kingdom.

How Our Forts, Goods, and Navy were ſeized, and taken from Us by Force, and imployed againſt Us: Our Revenue and ordinary Subſiſtence wreſted from Us: How We have been purſued with ſcandalous and reproachful Language; bold, falſe, and ſeditious Paſquels and Libels, publickly allowed againſt Us: And been told, that We might, without Modeſty and Duty, be Depoſed. Now, after all this (before any Force raiſed by Us) an Army was raiſed, and a General appointed to lead that Army againſt Us, with a Commiſſion to Kill, Slay, and deſtroy all ſuch who ſhould be faithful to Us; that when We had been by theſe means compelled by the Aſſiſtance of Our good Subjects to raiſe an Army for Our neceſſary Defence, We ſent divers Gracious Meſſages, earneſtly deſiring, That the Calamities and Miſeries of a Civil War might be prevented by a Treaty; and ſo We might know the grounds of this miſunderſtanding: How We were abſolutely refuſed to be Treated with: And how at laſt the Army (raiſed, as was pretended, for the defence of Our Perſon) was brought into the Field againſt Us, gave Us Battel, and (though it pleaſed GOD to give Us the Victory) deſtroyed many of Our good Subjects, with as imminent danger to Our own Perſon, and Our Children, as the Skill and Malice of deſperate Rebels could contrive: Of all which, and the other Indignities, which have been offered Us; We doubt not the Duty and Affection of Our *Scottiſh* Subjects will have ſo juſt a Reſentment, that they will expreſs to the World the ſenſe they have of Our Sufferings. And Our good Subjects of *Scotland* are not, We hope, ſo great Strangers to the Affairs of this Kingdom, to believe, that this Misfortune and Diſtraction is begot and brought upon Us by Our Two Houſes of Parliament (though, in truth, no unwarrantable Action againſt the Law can be juſtified, even by that Authority) they will know how the Members of Both Houſes have been driven thence, inſomuch, that of above Five Hundred Members of the Houſe of Commons, there are not now there above Eighty; and of above One Hundred of the Houſe of

An. 1643.

Peers, not above Fifteen or Sixteen; all which are ſo awed by the multitude of *Anabaptiſts*, *Brownists*, and other Perſons deſperate and decayed in their Fortunes, in and about the City of *London*; that, in truth, their Conſultations have not the Freedom and Privilege which belongs to Parliaments. Concerning any Commiſſions granted by Us to *Papiſts*, to raiſe Forces: We muſt refer Our good Subjects to a Declaration lately ſet forth by Us, upon the occaſion of that Scandal, which We ſend, together with This: And for Our own true and zealous Affection to the *Proteſtant* Religion (the advancement whereof Our Soul deſires) We can give no other Inſtance, than Our conſtant Practice, on which Malice it ſelf can lay no blemiſh: And thoſe many Proteſtations We have made in the ſight of Almighty *GOD*, to whom We know We ſhall be dearly accomptable, if We fail in the Obſervation.

For that Scandalous Imputation of Our intention of bringing in Foreign Forces, as the ſame is raiſed without the leaſt colour or ſhadow of Reaſon, and ſolemnly diſavowed by Us, in many of Our Declarations: So there cannot be a clearer Argument to Our Subjects of *Scotland*, that We have no ſuch Thought, than that We have hitherto forborn to require the Aſſiſtance of that Our Native Kingdom, from whoſe Obedience, Duty, and Affection We ſhould confidently expect it, if We thought Our own Strength here too weak to preſerve Us: And of whoſe Courage and Loyalty We ſhall look to make uſe, before We ſhall think of any Foreign Aid to Succour Us. And We know no reaſonable or underſtanding Man can ſuppoſe Our good Subjects of *Scotland* are obliged or enabled by the late Act of Parliament in both Kingdoms to obey the Invention which is made to them by this pretended Declaration; when it is ſo evidently provided for by that Act, that as the Kingdom of *England* ſhall not make War againſt the Kingdom of *Scotland*, without conſent of the Parliament of *England*; ſo the Kingdom of *Scotland* ſhall not make War againſt the Kingdom of *England*, without the conſent of the Parliament of *Scotland*: And when they have always declared themſelves ſo careful of Our Honour, Safety, and juſt Rights, which now undergo ſo great Violation.

This We have thought fit to ſay, upon occaſion of this late Declaration, and do commend it to You, the Lords of Our Privy-Council of Our Kingdom of *Scotland*, to be Communicated and Publiſhed to all Our loving Subjects there: And if the Grave Counſel and Advice which You derived hither by your Act of the Two and Twentieth of *April* laſt, had been followed here, in a tender Care of Our Royal Perſon, and of Our Princely Greatneſs and Authority, then would not this face of Confuſion have appeared, which now threatens this Kingdom: And therefore We require You to uſe your utmoſt endeavours to Inform Our Subjects of that Our Kingdom, of the truth of Our Condition; and that You ſuffer not the Scandals and Imputations laid on Us by the Malice and Treaſon of ſome Men, to make any Impreſſion in the minds of Our People, to the leſſening or corrupting their Affection and Loyalty to Us, but that You aſſure them the hardneſs We now undergo, and the Arms We have been compelled to take up, are for the defence of Our Perſon, and ſafety of Our Life; for the maintenance of the True *Proteſtant* Religion; for the Preſervation of the Laws, Liberties, and Conſtitutions of this Kingdom; and for the juſt Privileges of Parliament: And look no longer for the Bleſſing of Heaven, than We endeavour the Defence and Advancement of all Theſe: And We doubt not a dutiful Concurrence in Our Subjects of *Scotland*, in the Care of Our Honours and juſt Rights, will draw down a Bleſſing upon that Nation too.

Given at the Court at Oxford, Dec. 6. 1642.

A Letter from the King to the Marquis of *Hamilton* ſent by his Brother the Earl of *Lanerick*, Dec. 2. 1642.

Hamilton,

THo' the Truſt of this Bearer needs not a Credential Letter, yet the Civility of a Friend cannot but under his Hand, as well as by word of Mouth, expreſs his Kindneſs and reſentment of Courteſies, which of late have been ſuch, that you have given me juſt Cauſe to give you better thanks, than I will offer at in words. I ſhall not neglect the lazy uſe of ſo Truſty a Bearer, by referring to him not only the State of my Affairs here, but likewiſe in what way you will be of moſt uſe to me. Yet I cannot

19 Caroli.

not but tell you, I have ſet up my reſt upon the Juſtice of my Cauſe, being Reſolved, That no Extremity or Misfortune ſhall make me yield; For I will be either a Glorious King, or a patient Martyr, and as yet not being the firſt, nor at this preſent apprehending the other, I think it now no unfit time, to expreſs this my Reſolution unto you. One Thing more, (which but for the Meſſenger, were too much to Truſt to Paper) the failing of one Friend hath indeed gone very near me; Wherefore I am Reſolved, That no Conſideration whatſoever ſhall ever make me do the like. Upon this Ground I am certain, That God hath either ſo totally forgiven me, that he will Bleſs this good Cauſe in my Hands; Or that all my Puniſhment ſhall be in this World, which without performing what I have Reſolved, I cannot flatter my ſelf will End here. This unaccuſtomed Freedom, will (I am confident) add Chearfulneſs to your honeſt Reſolutions, ſeeing beſides Generoſity, to which I pretend a little, my Conſcience will make me ſtick faſt to my Friends, aſſuring you, I have none, if I am not,

Oxford, Decemb. 2. 1642. Your moſt aſſured conſtant Friend,

Charles R.

The Parliaments Declaration and Kings Meſſage debated in the Council of *Scotland*.

The 20th of *December* being a Council Day, the Chancellor *Lowdon* preſented them with a Letter from the Lord. *Lindſay* from *London*; and the laſt recited Declaration of the Parliament, which being Read, *Lanerick* produced the Kings Meſſage (before alſo recited) concerning it; upon which, a great diſpute aroſe, but at laſt, by the Induſtry of *Hamilton*, *Lanerick*, and their Party, it was carried, That the Kings Declaration ſhould be Printed, and not the Parliaments.

The Kings Meſſage only to be Printed. A Petition complaining the Printing one without the other.

Upon which there was on the 6th of *January* exhibited to the *Conſervators of the Peace*, a Petition of divers Noblemen, Barons, Gentlemen, Burgeſſes, and Miniſters, complaining of the Councils putting to the Preſs His Majeſties Letter, containing Aſperſions of odious and deſperate Rebellion againſt the Parliament of *England*, without Printing their Declaration, to which His Majeſties Letter is an Anſwer; which the Petitioners fear may diminiſh the Confidence between the Two Kingdoms, breed Jealouſies, interrupt their Union and Peace, and impede the ſo much deſired Unity of Religion, and Uniformity of Kirk-Government, *&c.*

Another Petition Croſs to the former.

At the ſame time there was a *croſs Petition* preferred, ſigned by many Noblemen and Gentlemen, (but no Miniſters) expreſſing their Diſapprovement of the other Petition, that they deſired Uniformity, but no ways intended to paſs their Bounds in preſcribing Rules and Limits to His Majeſty. And praying the Lords of the Council not to do any thing that might give the King occaſion to Repent of the Truſt He ſo Gratiouſly expreſſes Himſelf to have repoſed in this His Antient and Native Kingdom; And that they would not, if they thought fit to return any Anſwer to the Engliſh Parliaments Declaration, promiſe any thing which might moleſt the Peace of this Kirk and Kingdom, *&c.*

The Scots propoſe a Mediation between the King and Parliament of *England*.

But before this, the *Conſervators of the Peace* (who met the 24th of *September*, 1642.) were inclined to ſend Commiſſioners into *England*, to Mediate between the King and His Two Houſes; And to that purpoſe wrote Letters to His Majeſty and the Parliament, dated the 29th of *September*, tendring ſuch their Service, and deſiring from them reſpectively, *Safe-Conducts* for ſuch, as ſhould be imploy'd in that Negotiation: The Parliament return them an Anſwer, the 20th of *October*, approving of their Wiſdom, Brotherly Affection, *&c.* and ſend them a blank Safe-Conduct, only excepting out of the ſame, *James* Duke of *Lenox*, and *Robert* Earl of *Roxborough*, as being both Delinquents to this Parliament.

An. 1643.

The Kings Anſwer was in theſe Words.

CHARLES *R.*

The King declines ſending a Safe-Conduct to that purpoſe.

Right Truſty and Well-Beloved Couſins and Counſellors; Right Truſty, and Truſty and Well-Beloved Counſellors; and Truſty and Well-Beloved; We Greet you well. By your Letter of the 29th of September, *We Conceive how ſenſible you are of the preſent Diſtractions of this Kingdom, which cannot be a greater Grief to any than to Our Self; But ſeeing all the Means We could poſſibly uſe for the Removal thereof, are (by the Practices of ſuch as ſtudy Diviſion) prevented; and all Our Offers of Treating (in a fair way to ſettle theſe Diſtempers) ſlighted, and not regarded, We are for the Defence of true Religion, and the Maintenance of the Liberties of the Subject, the Priviledges of Parliament, and Our juſt (and ever till now unqueſtioned Authority) neceſſitated to put Our Self in the poſture We are now in; And We ſhall no further beg a Bleſſing from GOD on Our Proceedings than We intend the Preſervation of theſe.*

As for your Reſolution of ſending here ſome of your Number, We ſee no Reaſon why they ſhould apprehend any Danger in their Repair to Us; for they may be Confident to have a ſafe and free Acceſs to Our Perſon, which We have never denied to any of Our good Subjects, who repaired to Us in a Dutiful manner, and were not out of Our Protection; Therefore We Conceive the Granting of a Safe-Conduct *to any ſuch abſolutely unneceſſary; But if they apprehend any Danger from the preſent Diſorders of this Kingdom, and Armies now on Foot, We will Grant ſuch a* Paſs *both for their Coming and Return, as We ordinarily give to any of Our Subjects, or Servants, for paſſing through Our Gariſon Towns, or Armies, which We doubt not will both ſecure them, and ſatisfie you; ſo We bid you heartily Farewel.*

From Our Court at *Bridgenorth*, the 13th of *October*, 1642.

The Scots preſs for a Safe Conduct by a ſecond Letter.

The Conſervators on the 16th of *November*, by a Second Letter, renew their Requeſt for a *Safe-Conduct*; and expreſs their Reaſons for it in a Letter to the Earl of *Lanerick* His Majeſties Secretary for *Scotland*, alledging, That His Majeſties Letter is ſo dubious, that they cannot perceive a clear Approbation of their Sending, and Mediation, nor yet of a Safe-Conduct to be ſent them.

Whereupon His Majeſty did Grant a Safe-Conduct in theſe Terms.

CHARLES *R.*

The Safe Conduct granted.

WHereas the Commiſſioners appointed by Us, and Our Parliament of Scotland, *for preſerving the Articles of the Treaty, have thought fit to ſend unto Us, being ſome of their Number. Therefore (for their better ſecurity in theſe times of Commotions of Soldiers, and People in Arms) We have thought fit to Declare to all Our Officers and Soldiers of Our Armies, Sheriffs, Mayors, and all other Our Subjects whatſoever, That We have taken, like as by* thair *Preſents, We do take the* ſaids *Commiſſioners, and any others their Adjuncts hereafter, being of their own number, with all their Menial and Domeſtick Servants and Attendants, into Our Royal Protection and Safe-Guard, aſſuring them upon the Royal Word and Faith of a Prince, That the aforeſaid their Perſons, Servants, and whole Retinue foreſaid, ſhall be ſafe and free from all Danger, Moleſtation, Reſtraint, or Detention in their repair to Us, Our Houſes of Parliament, or any part of Our Kingdom of* England, *abode therein, and return to* Scotland *at their Pleaſure. And for the further Aſſurance hereof, We are graciouſly pleaſed to Sign, and cauſe Affix, Our Signet to this Our full and free Safe-Conduct, and Safe-Guard to the Perſons above-named, their ſaid Adjuncts, Servants, and Retinue foreſaid, from all Harm and Reſtraint in their Coming, abode in this Kingdom, and return to* Scotland, *in als ample a meaning, and real Aſſurance, as ever any Safe-Guard, or Safe-Conduct, with all the Clauſes thereof, in this, or any other Kingdom doth import. And that a Copy hereof, under the Hand of Our Principal Secretaries of State, ſhall be of als great Force and Effect, for the Safe-Conduct, and ſecuring of their Perſons, or any of them, their Retinue and Servants aforeſaid, as this Original Signed by Our Royal Hand, and under Our Signet. And We Ordain this Our Safe-Conduct to be publickly inti-*

intimated to all the Officers and Soldiers of Our Armies, Sheriffs, Mayors, and all others Our Subjects, whereby none may pretend Ignorance of the same, Requiring and Commanding them to observe, and give ready Obedience hereunto; or to a Copy thereof so Attested under the Hands of any of Our principal Secretaries of State, as they will Answer upon the contrary at their highest Perils. 19 Caroli

Given at Our Court at *Oxford*, the second day of *December*, in the Eighteenth year of Our Reign, 1642.

To all Generals of Our Armies, Lieutenant-Generals, Commanders, &c.

The Commissioners Named were *John* Earl of *Lowdon*, Lord High Chancellor; *John* Earl of *Lindsey*; Sir *Archibald Johnston* of *Wariston*; and Mr. *Robert Barclay*, Provost of *Irwing*: Their Commission from the Conservators, bearing date at *Edinburgh*, the 18th of *January*, $16\frac{4}{5}$. But the Earl of *Lanerick* excepted against *Wariston* in the King's Name, and produced His Majesty's Warrant for it; and so, tho' he continued named in the Commission, he was not sent. The Commissioners Names sent from *Scotland*.

The other Commissioners arriv'd at *Oxford*, in *February*, where the Papers following pass'd between the King and them.

The several Papers presented to His Majesty by the Scots *Committee at* Oxford, *in* February $16\frac{4}{5}$. *with His Majesty's respective Answers thereunto.*

SInce We your Majesty's most Humble and Loyal Subjects are come into this Kingdom, upon a Safe-Conduct from your Majesty, and your Houses of Parliament, in name of the Commissioners, for conserving the Peace between the Two Kingdoms, to offer Our best endeavours for removing the unhappy Differences betwixt your Majesty and your Houses of Parliament, in such a way as may serve most for the good of Religion, your Majesty's Honour, and Peace of your Kingdoms, and according to Our Duty, have made Our first Address to your Majesty: It is Our humble desire, That your Majesty, in your Royal Goodness and Inclination to Peace, may be pleased so far to approve Our Intentions and accept of Our Mediation, that We may be allowed by your Majesty, to go to the Houses of Parliament, for their approbation thereof; that thereafter We may in all Humility propose to your Majesty and them, the particular desires and Overtures committed unto Us, and conducing to so good Ends.

Oxford, Feb. 23. 1643. *Ja. Prymrose.*

His Majesty's Answer.

WE *have considered of your Proposition, and the Commission by which you are Authorized to come hither from the* Commissioners for conserving the Peace between both Kingdoms: *We have likewise duly and carefully examined and weighed the* Act of Pacification *between Our Two Kingdoms, and upon which you seem to ground your Commission, and to hold your selves warranted and obliged to contribute your utmost endeavours for Unity of Religion and Uniformity of Church Government within all Our Dominions, and for removal of the Differences between Us and Our Two Houses of Parliament. There is nothing concluded in that Treaty by that Act, which We shall not with all Solemnity and Constancy always observe; and hope it will be the care of all Our loving Subjects of both Nations, precisely to do so too: That the Peace may be perpetually kept between them; neither is there any means We would not use to remove these unhappy Differences between Our Two Houses of Parliament and Us, as We have done to prevent them. But We do not yet understand that you or the Commissioners for conserving of the Peace between both Kingdoms, are warranted and obliged by that Act to interpose in these Affairs and Differences in Our Kingdom of* England: *And therefore We cannot, in a business which so much concerns the Honour and Interest of the Nation, admit you under that Capacity, or consent, that you go so qualify'd to Our Two Houses of Parliament, for such a Mediation,*

An. 1643. *tion, until you ſhall make it appear to Us, upon what branch of that Act this Warrant and Obligation of yours, and of them that ſent you is founded.*

The Reply of the Scots *Committee.*

AS your Majeſty's Chriſtian and Royal Inclination to Peace, many times before, and now again, manifeſted in your Majeſty's conſtant Profeſſion, to uſe all means for removing the unhappy Differences betwixt your Majeſty, and your Two Houſes of Parliament, did before Our coming hither, make Us hopeful of good Succeſs in Our Employment; ſo did We conceive from your Majeſty's *Safe-Conduct*, granted unto Us at Our coming, Our Commiſſion for that end would have been unqueſtionable, and Our humble Endeavours and Mediation acceptable to your Majeſty.

The grounds upon which it may appear, That the Commiſſioners for conſerving the Peace did find themſelves Warranted, and obliged to interpoſe in theſe Affairs and Differences, are at length expreſt in their Letter to your Majeſty, and in their Declaration to the Houſes of Parliament; whereupon the *Safe-Conduct* were granted, which were no other but the duty they owe to *GOD* Almighty, by their National Oath, to your Majeſty their Sovereign Lord, by their Allegiance and greateſt Native Intereſt in the ſafety of your Royal Perſon and Greatneſs: To the Kingdom of *England* by the publick Faith and Fraternity, and to their own Native Country, your Majeſty's Kingdom of *Scotland* by Nature, and by the Truſt repoſed in them by your Majeſty and your Parliament; unto which they could not be anſwerable, if they ſhould not uſe their beſt endeavours for removing theſe Differences between your Majeſty and your Houſes of Parliament, as reflecting upon that Kingdom, and evidently tending to the Diſturbance of the common Peace of the Two Kingdoms; knowing aſſuredly, That if the Parliament had been Sitting, they would have taken this as a matter of greateſt Neceſſity and Concernment before all other things, to their moſt ſerious Conſideration. A ſpecial Obligation and Warrant of this Deſire and Duty of Our Mediation, doth alſo ariſe from the Anſwer which your Majeſty and your Houſes of Parliament did give unto the Eighth Demand in the Treaty of Pacification, concerning Unity of Religion, which was not only propounded as a principal means for conſerving of Peace between the Two Kingdoms, and hath been a ground to the Commiſſioners for conſerving of the Peace, to inſiſt in the ſame deſires to your Majeſty, as a principal means of Peace; but alſo of divers Petitions to your Majeſty from the General Aſſembly, and the Commiſſioners thereof, and of your Majeſty's Anſwer to them; of Declarations from them to the Two Houſes of Parliament, and from the Two Houſes of Parliament to them, and of divers Letters to your Majeſty, and Declarations to the Houſes of Parliament, from the Lords of the Privy-Council, for Unity of Religion, and Uniformity of Kirk-Government, as promiſing Peace, Proſperity, and all ſorts of Bleſſings to both Kingdoms. Upon theſe and the like grounds, did the *Commiſſioners for conſerving the Peace*, ſeconded with the Approbation of the *Lords of Council*, and with the joynt deſires of the Commiſſioners of the *General Aſſembly*, find themſelves warranted and obliged to uſe all good means, and to contribute their utmoſt endeavours for that Unity of Religion, and Uniformity of Kirk-Government, in all your Majeſty's Dominions, and for removing the Differences betwixt your Majeſty, and your Houſes of Parliament; and for theſe ſo much wiſhed for ends, have ſent Us, of their own number, your Majeſty's moſt humble and faithful Subjects, who would eſteem it Our greateſt Happineſs on Earth, to have the Honour to be Inſtruments in ſo good a Work: And now do again, in all Humility and Faithfulneſs, according to Our Commiſſion, offer Our Service and beſt Endeavours to your Majeſty, and deſire to be permitted by your Majeſty, to go to the Houſes of Parliament, that We may, without longer delay, acquit Our ſelves in the Truſt committed unto Us.

His

19 Caroli.

His Majeſty's Anſwer.

WE have made no Profeſſion, or uſed no Expreſſions of Our Intentions to Peace, which Our Actions have not, and ſhall not always make good: GOD *and the World will bear Us witneſs, We have omitted no poſſible means Our Underſtanding could ſuggeſt to Us, to remove thoſe unhappy Differences. But how Our* Safe-Conduct, *which is only a ſafe Admiſſion of you into this Kingdom, ſhould confer a Capacity upon you, or qualifie you in a condition the Law hath not given you, We cannot underſtand Our ſafeguard ſhall by no means be violated, though We cannot admit the Authority and Obligation you pretend to by your Commiſſion.*

As We ſhall to Our utmoſt power, maintain and defend the Laws of that Our Native Kingdom, in that Kingdom; ſo We have been, and ſhall be more punctually careful not to do, or (to Our Power) to ſuffer any thing to be done in this, which may reflect upon that Our Kingdom, or tend to the Diſturbance of the Common Peace of Our Two Kingdoms, and ſo may have any ground of Inviting any ſuch Mediation to Us; but We conceive, there is more ground for thoſe who ſent you, as Conſervators of the Articles of Treaty, to think themſelves ſufficiently Authorized to take notice of, and reſent the Declaration of Our Two Houſes of Parliament, Inviting Our Subjects of that Nation to Aſſiſt againſt Us, *as being a deſire directly contrary to the Articles of the Treaty, and which doth really and evidently tend to the common Diſturbance of the Peace between the Two Kingdoms, and ſo within the proper bounds of their Commiſſion and Truſt.*

We have again deliberately conſidered of the Anſwer of the Eighth Demand in the Treaty of Pacification, concerning Unity of Religion, and Uniformity of Church Government, and cannot find in that Anſwer the leaſt Obligation or Warrant of this deſire of yours, in the point of Mediation: *The Anſwer of Us and Our Two Houſes of Parliament here, to that deſire being this,* That We did approve of the Affection of Our Subjects of *Scotland,* in their deſire of having a Conformity of Church Government between the Two Nations. And as the Parliament had already taken into Conſideration, the Reformation of Church-Government, ſo they would proceed therein in due time, as ſhould beſt conduce to the Glory of *God,* and Peace of the Church and of both Kingdoms; *but that this Reformation ſhould be, by aboliſhing the Order of Biſhops out of this Kingdom, or that the Conſervators of the Articles of Treaty ſhould intermeddle in the time or circumſtances of ſuch a Reformation, which cannot be judged without the knowledge of the* Laws, *and Policy of this Kingdom, is not ſo much as Implied by any Words in that Anſwer; or in the whole Act of Pacification. And the Act of Parliament of Our Kingdom of* Scotland, *which Authorizeth the* Commiſſioners for conſerving of the Articles of the Treaty *(which is the Stile of the Commiſſioners, from whom you are ſent, and who have all their Authority by vertue of that Act) gives them power only, betwixt the Sitting of the Parliament, to Convene amongſt themſelves, or with ſuch as ſhall be* choſen by us, *and Our Parliament of* England, *and to endeavour, by all lawful means, for preſerving and keeping the ſaid Articles of Peace, concluded in the ſaid Treaty already, and not otherwiſe: Declaring, that the Power of this Commiſſion ſhall be reſtrained to the Articles of Peace, concluded in the ſaid Treaty; ſo that theſe Commiſſioners have not the leaſt tittle of Authority to interpoſe in matters of Difference within the Kingdom of* England, *but only where the Peace and Articles concluded between the Two Kingdoms are violated. And if neither of thoſe Acts of Parliament give the leaſt Colour or Authority to thoſe Commiſſioners (as apparently they do not) to undertake a Mediation in the unhappy Differences of this Kingdom, you will find no other Title to it by your* National Oath, *by* Nature, *and by your* Publick Faith *and* Fraternity, *than any other of Our good Subjects of that Our Native Kingdom of* Scotland, *or indeed of either of Our other Kingdoms, may Challenge to themſelves: And whether that can be a capacity of* Mediation *between Us, and both Our Houſes of Parliament, (when under pretence of their Commands, Arms are taken up againſt Us, and endeavours have been uſed to deſtroy Us and Our Children) your ſelves will eaſily judge. Neither hath any conſent been given by Us to it, in Our Anſwers to any Letters from the Commiſſioners of that Our Kingdom of* Scotland *(what deſires or Intimations have been in their Letters to Us, or in their Declarations to both Houſes of Parliament, is not material) which is acknowledged in their Letter to Our Secretary of* Scotland, *in which they ſay,* They cannot perceive a clear approbation

An. 1643. bation from us of your Sending and Mediation. *Neither can We, by any means admit, that the Commiſſioners of* Scotland, *for conſerving the Articles of Treaty, or the Lords of Our Council of that Kingdom, or the Commiſſioners of the General Aſſembly there, are in any degree Warranted or obliged to intermeddle in the Religion and Church-Government of this Kingdom, which is ſo* intermixt with the Civil Government, *that the ſame cannot be underſtood by them.*

And for theſe Reaſons, and thoſe formerly given by Us, We muſt inſiſt upon Our former Anſwer to your Propoſition.

The Scots *Committee.*

IF your Majeſties Native Kingdom of *Scotland*, could in the Conſcience of their Duty to *GOD*, of Loyalty to your Majeſty, of providing for their own Safety, and of Charity to their Brethren of *England*, have ſitten ſtill as idle beholders of the preſent Combuſtion and Calamities, it might have been accounted a *preſumption* or *officiouſneſs* to offer to interpoſe and meddle in matters wherein they were not ſpecially concerned, but that manifold and undeclinable neceſſity, did conſtrain the Commiſſioners for conſerving the Peace between the Two Kingdoms (who, by reaſon of the Truſt repoſed in them, by your Majeſty and the late Parliament, and of the univerſal expectation of that Kingdom, were in Duty moſt concerned to beſtir themſelves in matters of that kind) to offer in all Humility and Love, their beſt Service and Endeavours to your Majeſty, and the Two Houſes of Parliament, for a deſirable and bleſſed Pacification, for this purpoſe, and no other publick or private Project or Deſign of their own, did they crave a *Safe-Conduct* (the conſtitution of Affairs, and the time ſo requiring) for ſuch of their own number as they ſhould deſire to ſend to your Majeſty, and the Houſes of Parliament, which your Majeſty was graciouſly pleaſed to grant, without either oppoſing of that, or intimating any other end of their repairing into *England*, which they conceived your Majeſty would have done, if their *Mediation* (which importeth no other Authority, but that they are warranted and obliged to make offer of this their humble Duty and Service) would not have been acceptable; yet do they not pretend your Majeſty's Safe-Conduct to be an Invitement of this Mediation, but only a Warrant of Admitting, and a ground of Accepting of them, who, according to their Commiſſion from your Majeſty and the Parliament, had applyed themſelves to ſo Pious and neceſſary a Duty.

We do earneſtly beſeech *GOD*, by whom Kings Reign, to bleſs your Majeſty, in your Royal and Fatherly Care of the conſerving of the Peace of your Dominions, both in themſelves and of each of them with another. But as no humane Prudence or Solicitude is able, at ſome times to prevent the Commotion of Kingdoms; ſo it is impoſſible where Kingdoms be ſo nearly joyned betwixt themſelves, and ſo ſtraitly united under one Head, to extinguiſh the ſympathy and ſenſe of the Troubles of their Head, and Fellow-Subjects; or to ſtop the deluge of the Troubles of the *One*, that it affect not the *Other*, with the danger of the like, to the Diſturbance of the common Peace of Both. The Commiſſioners for conſerving the Peace according to their Duty (for the performing whereof they are to Anſwer to your Majeſty, and the Parliament of that Kingdom) did conſider of your Majeſty's ſeveral Letters and Declarations to them, expreſſing your confidence in your Majeſties Subjects there; and did ſo far take notice of the Invitation of the Two Houſes of Parliament for Aſſiſtance, that after long and mature Deliberation, they reſolved, without any other Determination or Undertaking, to ſend up ſome of their own number, to receive in preſence, particular and full Information of the Differences betwixt your Majeſty and them, to offer in all Humility to your Majeſty, and in all Love to them, their earneſt Deſires and beſt Endeavours to prevent the effuſion of more Blood, by an happy Accommodation; and if the Differences were greater than by them could be removed, to make true Relation of the ſtate of Matters, and faithful account of their Diligence to your Majeſty and the Parliament of that Kingdom; who, in their greater Wiſdom and Authority were to conſider and reſolve what is fit to be done in the time of ſo great Difficulties and Dangers for your Majeſty's Ho-

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19 *Caroli*

nour, their own Safety, and the common Peace of both Kingdoms; which courſe and method, if they had not followed, they could not have been anſwerable neither to GOD, nor to your Majeſty, and the Parliament, nor to the Chriſtian World, which might juſtly wonder and be aſtoniſhed, that they who lately had the Senſe of Troubles, ſhould ſit ſtill in Eaſe and Security in the time of the danger of Religion, your Majeſty's Perſon, and their own Peace, and of the diſtreſs of their Brethren.

When your Majeſty, in your Royal Wiſdom, ſhall in the Eighth Article of the Treaty, be pleaſed to compare the demand of Uniformity of Kirk-Government, as a *principal mean* of a well-governed and *durable Peace*; with the Anſwer acknowledging this deſire to be a *teſtimony of the Affection* of your Majeſty's Subjects of *Scotland*; and promiſing, that the Parliament would in due time proceed to the Reformation of Church-Government, as ſhould *beſt conduce to the Glory of* GOD, *and Peace of the Church, and of both Kingdoms*: And withal ſhall be pleaſed to conſider, That the Two Houſes of Parliament have ſince declared to the General Aſſembly of the Kirk of *Scotland*, to the Commiſſioners for conſerving the Peace, and to the Lords of *Secret Council*, that they were about the Reformation ſo much deſired and intended for ſo good ends; and at laſt both Houſes of Parliament, who muſt have the knowledge of the Laws, and Policy of this Kingdom, have paſt their *Bill* for aboliſhing of the *Order of Biſhops*, as a principal mean of the deſired Uniformity in Kirk-Government. It will, by this Progreſs, evidently appear, That not only the Commiſſioners of the General-Aſſembly have ſufficient ground for their late Supplication; but the Commiſſioners for conſerving this Article of the Treaty have reaſon, from the *Act of Pacification*, and the Act of Parliament, for their Mediation about this point, ſo neceſſary for a firm and ſettled Peace, and at this time when both Houſes have paſt their Bill: Nor are We out of hope, but your Majeſty, from your Princely Inclination to Peace, and from your wonted Juſtice and Goodneſs, never to be repented of, will, in the end, againſt all Difficulties, give way to this deſire, which may be a mean, not only of Peace, but of many other Bleſſings to your Majeſty and all your Dominions, to all the Reformed Kirks, and the whole Chriſtian World, as is at length expreſt in the Demand, which was the occaſion of the Article of the Treaty.

As the Commiſſioners for conſerving of the Articles of the Treaty (and conſequently for conſerving *the Peace*, in ſo far as it may be conſerved by conſerving of theſe Articles, and by preventing and removing all occaſions which may tend to the diſturbance thereof) have power by the Act, betwixt the ſitting of Parliaments, to meet amongſt themſelves, or with ſuch as ſhall be Choſen by your Majeſty and the Parliament of *England*, and to endeavour by all lawful means, for preſerving the Articles of Peace, concluded in the Treaty *alternately*; ſo is it manifeſt and undeniable, that whilſt theſe Commiſſioners are not named, they may meet with your Majeſty and the Houſes of Parliament now Sitting, who have the Power originally in your ſelves: And as they are to conſerve ſuch Articles of the Treaty as were perfectly concluded at that time; ſo are they no leſs obliged to conſerve every other Article of the Treaty, in ſo far as it was concluded; and in all Reaſon and Equity to procure, by all good means, that the Articles which were agreed upon in the general, and left dependant and promiſed in the particulars to be determined in due time, might be perfected, and finally concluded, that all of them, at laſt, might equally become the object of the care of the *Conſervers of the Peace*, who could not anſwer for their Fidelity, if by their ceaſing or negligence they did ſuffer Articles of this kind, which were more to be eſteemed than ſome of thoſe which were fully concluded (they being ſo important for the common Peace) to periſh or expire.

If your Majeſty's Privy-Council, or others of Publick Truſt, upon the Obligation of their National Oath, their Allegiance to your Majeſty and their publick Faith, ſhould offer themſelves to interpoſe in this Exigence, when your Majeſty's Perſon and Dominions are in ſo great danger by Armies, We believe your Majeſty would take it as a Pious, Loyal, and Chari-

An. 1643.

table Motion: May not then the Commiſſioners for conſerving of the Peace, who, beſides all the former Bonds, tying them after a ſpecial manner, above all other your Majeſty's Subjects, are warranted by the Articles of the Treaty, and encouraged by your Majeſty's *Safe-Conduct*, craved upon their part for that end, and granted by your Majeſty to them, as ſenſible of the Diſtractions of this Kingdom, and for no other end, be very confident of your Majeſty's gracious Acceptance of their Mediation. The Letter of the date at *Edinburgh, Novemb.* 16. 1642. did deſire, both a more clear Approbation from your Majeſty, and a *Safe-Conduct*, but they conceiving the obtaining of a *Safe-Conduct*, which before had been denied to be a real Approbation of their deſires, did not any more inſiſt in ſeeking a formal Approbation, which, upon wiſe Conſiderations, might by your Majeſty have been paſt in ſilence.

If upon theſe Reaſons, which did give ſatisfaction to the Commiſſioners of Peace, your Majeſty think it not fit to accept the offer of this Our Service, in this great buſineſs; and if your Majeſty conceive the Intermixture of the Civil and Church Government of this Kingdom (which the Houſes of Parliament, who know it, judge not to be neceſſary) to be a matter that cannot be underſtood by the Commiſſioners of Peace, the Lords of your Majeſty's Council, or the Commiſſioners of the General-Aſſembly, do humbly deſire to know whether, according to Our former Propoſition, your Majeſty will permit Us to go to the Houſes of Parliament, for delivering the Declaration of the Commiſſioners for Peace, as a ſpecial point of Our Truſt committed to Us: We do alſo beſeech (which is another point of Our Truſt) that your Majeſty will be pleaſed according to your Gracious Promiſe expreſt in the late Parliament, preſently to *Indict a new Parliament* to as ſhort a day as upon Warrant from your Majeſty, the Subjects may be lawfully Warned thereunto, for ſuch neceſſary Cauſes as concern the Publick of that Kingdom, and the common Peace of the Two Kingdoms. That your Majeſty having declared your Royal Pleaſure, concerning theſe Our humble Deſires, We may without farther Diſpute or Delay, return to thoſe that ſent Us, praying that ſome more fit effectual means may be found for ſettling your Majeſty, and your Kingdoms, in Safety and Peace.

His Majeſties Anſwer.

IT is acknowledged by His Majeſty, That if any One of the Articles of the Treaty had been broken or violated (as His Majeſty doth not ſo much as ſee pretended) or any Debate or Difference had riſen thereupon (about which there is now no Diſpute) the Commiſſioners had then been not only Warranted, *but* Obliged, *to have laboured to prevent all Troubles and Diviſions, which might ariſe by ſuch a Breach, to the Diſturbance of the Common Peace, and to remove and compoſe all ſuch Differences, according to ſuch Power as was granted to them; but till His Majeſty be ſatisfied, that Authority is by ſome Law given to the Commiſſioners for conſerving the Articles of the Treaty, to Repreſent His Majeſty's Native Kingdom of* Scotland, *in this offer of Mediating for a deſired and bleſſed Pacification here, His Majeſty cannot ſee how the Pious, Dutiful, Provident, or Charitable concernment of that Kingdom, in the Calamities of this, or their Sympathy and Senſe of the Troubles of their* Head *and Fellow-Subjects can Intereſs the Commiſſioners any more, than any other of his good Subjects of that Kingdom, to beſtir themſelves in matters of that kind; or why any ſuch endeavours ſhould be by any (much leſs univerſally) expected from them; ſo far is he from ſeeing that any undeniable neceſſity conſtrained them to it.*

And

19 Caroli.

And since the expres words of the Act of Pacification *it self are, that the power of the Commission shall be restrained to the Articles of Peace in the Treaty; and the very words of the Commission it self restrain their Endeavours to the preserving and keeping the Articles of Peace concluded in the Treaty* alternately *(so that His Majesty cannot but wonder whence they can pretend any Obligation or Authority to intermeddle with, or Press, concerning any such Articles as are not Concluded, but still dependant, how Important soever they suppose them to be even to the Common Peace) and giving them only liberty to Convene to that effect amongst themselves, or with the Commissioners chosen by His Majesty, with consent of the Parliament of* England, *and restraining them in all their Proceedings, to the Power granted to them in manner aforesaid, and no otherwise (as clearly intending to restrain all Power that might be pretended to any Inferences, Analogies, or Consequences, how manifest soever they might appear) and requiring them to consist of the number of Twelve, and not giving them power to delegate a smaller Power, His Majesty cannot consent, that a Number, the Law allows not (that is* Three *) should address themselves to those the Law hath not appointed them, (that is* Both Houses*) not only concerning that which the Law entrusted not to them, (as a Pacification* here*) but even concerning that from which the Law expresly restrains them, that is, One of the Articles of the Treaty,* no way concluded *or agreed on, but expresly* reserved *by the Parliament, to be considered in due (that is their own) time, concerning Church-Government; the intermixture of which with the Civil Estate, as his Majesty still conceives to be very great, of very high Concernment, and not to be understood by the Commissioners, who have not the knowledge of the Laws and Policy of this Kingdom; so His Majesty is confident (notwithstanding the Declaration and the Bill, abolishing the Order of Bishops) that if they well knew how generally any thing of that kind was opposed, whilst the Houses continued* full*; and how much the major part of Both Houses were Absent at the passing of that Declaration and Bill (insomuch as His Majesty is credibly Informed, there were not above* Five Lords *present, when the Bill past) and what violent and* tumultuous Assemblies *had occasioned so great and unusual an Absence, they would be confident, as he is, that in a full and peaceable Convention of Parliament, Both Houses will appear to be of the same Opinion with His Majesty in this particular, and to have in that the same thoughts of the Law and Policy of this Kingdom.*

His Majesty's Care, that the Deluge of the Troubles of This *Kingdom effect not* That, *with the danger of the like, is very visible to all the World; His Majesty, out of His great desire of continuing them in Peace and Tranquillity, not desiring any Assistance from them, even for His own Preservation: And who-ever doth desire any Commotion there, to assist their Rebellious and Invasive Arms, will, he hopes, be looked upon as the Troublers of the Peace, and as* Incendiaries *labouring to lay foundations of perpetual Hostility between the Kingdoms; and then (for ought His Majesty can see) there will be no cause to suspect any Commotions there; and such Dangers will prove rather* imaginary *than* real, *though the Conservators of the Treaty contain themselves within their legal and proper Bounds.*

His Majesty wonders, That since His Approbation of their Mediation was desired, when His Safe-Conduct *was ask'd, and the* First *was not given, when the* Latter *was, that it should not have been easily seen by this proceeding of His Majesty's, that as He never granted the First, (as seeing no Authority they had for such a Mediation) so he only at last granted the*

An. 1643.

other, as contented to hear what they could ſay to Him upon that point, either as private Perſons, or to give Him better ſatisfaction than He could give himſelf, what Right they could pretend to any publick Capacity of that kind; but having heard all that they have offered, and not finding any thing that warrants them in this, in any ſpecial manner, above His Majeſty's other Subjects, His Majeſty cannot with reaſon admit of any private Perſons whatſoever into ſuch a publick Capacity, or with His own Dignity, and that of this Nation, allow His Subjects of another Kingdom, not authorized by any Law, to make themſelves (under the Title of Mediation) Umpires *and Arbitrators of the Differences here.*

For the Calling of a Parliament *in* Scotland, *His Majeſty deſires to know what Promiſe of His it is, which they mention Him to have particularly expreſt to His late Parliament? The* Law *which His Majeſty then Graciouſly paſt, concerning that point; His Majeſty well remembers (and will juſtly, punctually, and religiouſly obſerve; together with all the reſt conſented to by Him). That* the Parliament there ſhall Convene, upon the firſt *Tueſday* of *June*, 1644. *and, according to the ſame Act, will appoint One, betwixt this and that day, if His Majeſty ſhall think fitting, who, as he is by that very Law expreſt to be* ſole Judge *of that Convenience; ſo the Commiſſioners are neither by that, nor any other Law, entruſted or enabled to judge thereof.*

The *Scots* Commiſſioners not admitted to go to *London*, return into *Scotland*, *April*, 1643.

The *Scots* Commiſſioners being not able to obtain His Majeſty's Leave to go to *London*, *Lowdon* was inclinable to make a Proteſtation, that His Majeſty had thereby violated their *Safe-Conduct*, but he was diverted from that Reſolution; and ſo took leave of the King, and return'd to *Scotland*, only *Lindſay* went back to *London*, from whence he came.

With theſe Commiſſioners came a Petition from the Commiſſioners of the General Aſſembly of the *Kirk*; which, together with His Majeſty's Anſwer thereunto follows.

To the King's Moſt Excellent Majeſty.

The Humble Petition of the Commiſſioners of the General Aſſembly of the Kirk of Scotland, *met at* Edenborough, Jan. 4. 1643.

Aſſemblies Petition to the King, *Jan.* 4. 1643.

'OUR ſilence and ceaſing to preſent before your Majeſty Our 'humble thoughts and deſires at this time of common danger 'to Religion, to your Majeſty's Sacred Perſon, your Crown and Po'ſterity, and to all your Majeſty's Dominions, were Impiety againſt 'GOD, Unthankfulneſs and Diſloyalty againſt your Majeſty, and 'indirect Approbation and hardning of the Adverſaries of Truth and 'Peace, in their wicked Ways and Cruelty againſt Our Brethren,

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19 *Caroli.*

'lying in ſuch depths of Affliction and anguiſh of Spirit. Any one 'of which Crimes were in Us, above all others, unexcuſable, and 'would prove Us moſt unworthy of the Truſt committed unto Us. 'The Flame of this common Combuſtion hath almoſt devoured '*Ireland*, is now waſting the Kingdom of *England*, and We cannot 'tell how ſoon it ſhall enter upon Our ſelves, and ſet this Your 'Majeſty's moſt Ancient and Native Kingdom on Fire: If in this 'woful Caſe and lamentable Condition of Your Majeſty's Domini-'ons all others ſhould be ſilent, it behoveth Us to ſpeak: and if 'Our Tongues and Pens ſhould ceaſe, Our Conſciences within Us 'would cry out, and the Stones in the Streets would anſwer Us.

'Our great Grief and apprehenſion of Danger is not a little 'increaſed, partly by the Inſolency and Preſumption of Papiſts, 'and others diſaffected to the Reformation of Religion; who, al-'though for their Number and Power they be not conſiderable a-'mongſt Us, yet, through the Succeſs of the Popiſh Party in *Ire-'land*, and the hopes they conceive of the prevailing Power of 'Popiſh Armies, and the Prelatical Faction in *England*, they have 'of late taken Spirit, and begun to ſpeak big Words againſt the 'Reformation of Religion, and the Work of *GOD* in this Land; 'and partly, and more principally, that a chief praiſe of the 'Proteſtant Religion (and thereby our not vain, but juſt glori-'ation) is by the publick Declaration of the Earl of *Newcaſtle*, 'General of Your Majeſty's Forces for the Northern Parts, and 'neareſt unto Us, transferred unto Papiſts. Who, although they 'be ſworn Enemies unto Kings, and be as Infamous for their Trea-'ſons and Conſpiracies againſt Princes and Rulers, as for their 'known Idolatry and ſpiritual Tyranny; yet are they openly 'declared to be not only good Subjects, or better Subjects, but 'far better Subjects than Proteſtants, which is a new and foul 'diſparagement of the Reformed Religion, a notable Injury to 'Your Majeſty, in Your Honour, a ſenſible reflection upon the 'whole Body of this Kingdom, which is impatient that any Sub-'jects ſhould be more Loyal than they; but abhorreth and extreme-'ly diſdaineth that Papiſts, who refuſe to take the Oath of Alle-'giance, ſhould be compared with them in Allegiance and Fidelity, 'and (which being a ſtrange Doctrine from the Mouth or Pen of 'profeſſed Proteſtants) will ſuffer a hard Conſtruction from all the 'Reformed Kirks.

'We therefore, Your Majeſty's moſt humble and loving Sub-'jects, upon theſe and the like Conſiderations, do humbly intreat 'That Your Majeſty may be pleaſed in Your Princely Wiſdom, 'firſt to conſider, That the Intentions of Papiſts, directed by the 'Principles of their Profeſſion, are no other than they have been 'from the beginning, even to Build their *Babel*, and to ſet up 'their execrable Idolatry and Antichriſtian Tyranny in all Your 'Majeſty's Dominions, to change the Face of Your Two King-'doms of *Scotland* and *England* into the ſimilitude of miſerable '*Ireland*: which is more bitter to the People of *GOD*, Your 'Majeſty's good Subjects, to think upon, than Death: And what-'ſoever their preſent Pretences be for the defence of Your Ma-

jeſty's

An. 1643. 'jeſty's Perſon and Authority; yet, in the end, by their Arms and 'Power, with a diſplayed Banner, to bring that to paſs againſt 'Your Royal Perſon and Poſterity, which the Fifth of *November* '(never to be forgotten) was not able by their ſubtil and under-'mining Treaſon to produce; or, which will be their greateſt Mercy, 'to reduce Your Majeſty and Your Kingdoms, to the baſe and un-'natural Slavery of their Monarch the Pope.

'And next, That Your Majeſty, upon this undeniable Evidence, 'may timouſly and ſpeedily apply Your Royal Authority for Dis-'banding their Forces, ſuppreſſing their Power, and diſappointing 'their bloody and mercileſs Projects.

'And for this end, We are with greater earneſtneſs than before 'conſtrained to fall down again before Your Majeſty, and in all 'Humility to renew the Supplication of the late General-Aſſembly, 'and Our own former Petition in their Name, for Unity of Reli-'gion, and for Uniformity of Church-Government in all Your Ma-'jeſties Kingdoms, and to this effect, for a meeting of ſome Di-'vines to be holden in *England*; unto which, according to the de-'ſire of Your Majeſty's Parliament, ſome Commiſſioners may be ſent 'from this Kirk, that in all points to be proponed and debated, 'there may be the greater Conſent and Harmony. We take the 'boldneſs to be the more inſtant in this Our humble deſire, be-'cauſe it concerneth the Lord Jeſus Chriſt ſo much in his Glory, 'Your Majeſty in Your Honour, the Kirk of *England* (which We 'ought to tender as Our own Bowels, and whoſe Reformation is 'more dear unto Us, than Our Lives) in her Happineſs, and the 'Kirk of *Scotland* in her Purity and Peace; former Experience, and 'daily Senſe teaching Us, that without the Reformation of the Kirk 'of *England*, there is no hope or poſſibility of the continuance of 'Reformation here.

'The Lord of Heaven and Earth, whoſe Vicegerent Your Ma-'jeſty is, calleth for this great Work of Reformation at Your hands, 'and the preſent Commotions and Troubles of Your Majeſty's Do-'minions, are either a Preparation in the Mercy of *GOD* for this 'bleſſed Reformation and Unity of Religion (which is the Deſire, 'Prayer, and Expectation of all Your Majeſty's good Subjects 'in this Kingdom) or, which they tremble to think upon, and 'earneſtly deprecate, are in the Juſtice of *GOD* for the abuſe of 'the Goſpel, the tolerating of Idolatry and Superſtition againſt 'ſo clear a Light, and not acknowledging the day of Viſitation, 'the beginning of ſuch a doleful Deſolation, as no Policy or 'Power of Man ſhall be able to prevent, and as ſhall make Your 'Majeſty's Kingdoms within a ſhort time as miſerable, as they 'may be happy by a Reformation of Religion. *GOD* forbid, 'That whil'ſt the Houſes of Parliament do profeſs their deſire 'of the Reformation of Religion, in a Peaceable and Parliamen-'tary way, and paſs their Bills for that end in the particulars, 'That Your Majeſty, the Nurſe-Father of the Kirk of *CHRIST*, 'to whoſe Care the Cuſtody and Vindication of Religion doth 'principally belong, ſhould, to the provoking of the Anger of *GOD*,

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19 *Caroli.*

'the ſtopping of the Influence of ſo many Bleſſings from Heaven, 'and the grieving of the Hearts of all the Godly, fruſtrate Our 'Expectation, make Our Hopes aſhamed, and hazard the loſs of 'the Hearts of all Your good Subjects, which, next unto the Truth 'and Unity of Religion, and the ſafety of Your Kingdoms, are wil-'ling to hazzard their Lives, and ſpend their Blood for Your Ma-'jeſty's Honour and Happineſs.

'We are not ignorant, That the Work is great, the Difficulties 'and Impediments many, and that there be both Mountains and 'Lyons in the way: The ſtrongeſt lett, till it be taken out of the 'way, is the Mountain of *Prelacy*, and no wonder, if Your Maje-'ſty conſider how many Papiſts, and Popiſhly affected, have, for a 'long time, found Peace and Eaſe under the ſhadow thereof, how 'many of the Prelatical Faction have thereby their Life and Being; 'how many Prophane and Worldly Men do fear the Yoak of 'CHRIST, and are unwilling to ſubmit themſelves to the obe-'dience of the Goſpel; and how many there be whoſe Eyes are 'dazled with the external Pomp and Glory of the Kirk, whoſe 'Minds are miſcarried with a conceit of the governing of the Kirk 'by the Rules of Human Policy, and whoſe Hearts are affrighted 'with the apprehenſions of the dangerous Conſequences which 'may enſue upon Alterations. But when Your Majeſty in Your 'Princely and Religious Wiſdom, ſhall remember from the Re-'cords of former Times, how againſt the Gates of Hell, the Force 'and Fraud of Worldly and Wicked Men, and all Panick fears of 'Danger, the Chriſtian Religion was firſt planted, and the Chri-'ſtian Kirk thereafter Reformed; and from the Condition of the 'preſent Times, how many from the experience of the Tyranny of '*Prelates* are afraid to diſcover themſelves, leſt they be Revenged 'upon them hereafter? whereas *Prelacy* being removed, they would 'openly profeſs what they are, and joyn with others in the way of 'Reformation. All obſtacles and difficulties ſhall be but matter of 'the manifeſtation of the Power of GOD, the principal Worker; 'and the means of the greater Glory to Your Majeſty, the prime 'Inſtrument.

'The intermixture of the Government of *Prelates*, with the 'Civil State, mentioned in Your Majeſty's Anſwer to Our former 'Petition, being taken away, and the right Government, by Aſſem-'blies, which is to be ſeen in all the Reformed Kirks, and wherein 'the Agreement will be eaſie, being ſettled; the Kirk and Religion 'will be more pure and free from Mixture, and the Civil Government 'more ſound and firm: That Government of the Kirk muſt ſuit 'beſt with the Civil State, and be moſt uſeful for Kings and King-'doms, which is beſt warranted by GOD, by whom Kings do 'Reign, and Kingdoms are eſtabliſhed: Nor can a Reformation be 'expected in the common and ordinary way, expreſſed alſo in Your 'Majeſty's Anſwer; the Wiſeſt and moſt Religious Princes have 'found it impoſſible, and implying a repugnancy, ſince the Perſons 'to be Reformed, and the Reformers muſt be diverſe, and the way 'of Reformation muſt be different from the Corrupt way, by which 'defection of Workmen, and corruption in Doctrine, Worſhip, and

'Govern-

An. 1643. 'Government, have entred into the Kirk. Suffer Us, therefore, 'Dread Sovereign, to renew Our Petitions for this Unity of Religion, and Uniformity of Kirk-Government, and for a meeting of 'ſome Divines of both Kingdoms, who may prepare matters for 'Your Majeſty's View, and for the examination and approbation of 'more full Aſſemblies: The National Aſſembly of this Kirk, from 'which We have Our Commiſſion, did promiſe in their Thanksgiving, for the many Favours expreſſed in Your Majeſty's Letter, 'their beſt endeavour to keep the People under their Charge, in 'Unity and Peace, and in Loyalty and Obedience to Your Majeſty 'and Your Laws, which, We confeſs, is a duty well-beſeeming the 'Preachers of the Goſpel.

'But We cannot conceal how much both Paſtors and People 'are grieved and diſquieted, with the late Reports of the Succeſs, 'Boldneſs, and Strength of Popiſh Forces in *Ireland* and *England*, 'and how much danger from the Power of ſo Malicious and Bloody 'Enemies is apprehended, to the Religion and Peace of this Kirk 'and Kingdom, conceived by them to be the ſpring whence have 'iſſued all their Calamities and Miſeries: Which We humbly re'monſtrate to Your Majeſty as a neceſſity requiring a General-Aſ'ſembly, and do earneſtly ſupplicate for the preſence and aſſiſtance 'of Your Majeſty's Commiſſioner at the day to be appointed; that 'by univerſal conſent of the whole Kirk, the beſt courſe may be 'taken for the preſervation of Religion, and for the averting of the 'great Wrath which they conceive to be imminent to this Kingdom. 'If it ſhall pleaſe the Lord, in whoſe Hand is the Heart of the 'King, as the Rivers of Waters, to turn it whitherſoever He will, 'to incline Your Majeſty's Heart to this through Reformation, no 'more to tolerate the Maſs, or any part of Romiſh Superſtition or 'Tyranny, and to Command that all good means be uſed for 'the Converſion of Your Princely Conſort, the Queen's Majeſty, '(which is alſo the humble deſire of this whole Kirk and Kingdom) Your Joynt Comforts ſhall be multiplyed, above the days of 'Your Affliction, to Your incredible Joy, Your Glory ſhall ſhine 'in brightneſs, above all Your Royal Progenitors, to the admira'tion of the World, and the Terror of Your Enemies, and Your 'Kingdoms ſo far abound in Righteouſneſs, Peace, and Proſperity, 'above all that hath been in former Generations, that they ſhall 'ſay, *It is good for us that we have been Afflicted.*

His

His Majeſties Anſwer to a late Petition preſented unto him by the hands of Alexander Henderſon, *from the Commiſſioners of the General Aſſembly of the Church of* Scotland.

18 *Caroli.*

March 20. 164$\frac{2}{3}$.

WE received lately a Petition from you, by the hands of Mr. *Alexander Henderſon*; to the which We intended to have given an Anſwer, as ſoon as We had tranſacted the buſineſs with the other Commiſſioners addreſſed to us from the Conſervators of the Treaty of that Our Kingdom. But finding the ſame to be publiſhed in Print, and to be diſperſed throughout Our Kingdom, to the great danger of ſcandalling of Our well-affected Subjects, who may interpret the bitterneſs and ſharpneſs of ſome expreſſions not to be ſo agreeable to that Regard and Reverence which is due to Our Perſon, and the matter it ſelf to be reproachful to the Honour and Conſtitution of this Kingdom: We have been compelled the more ſtrictly to examine as well the Authority of the Petitioners, as the matter of the Petition it ſelf, and to publiſh Our opinion of both, that Our Subjects of both Kingdoms may ſee how equally juſt and ſenſible We are of the Laws and Honour of both Our Kingdoms.

And firſt, upon peruſal of the Petition, We required to ſee the Commiſſion by which the Meſſenger who brought this Petition, or the perſons who ſent him, are qualified to intermeddle in affairs ſo foreign to their Juriſdiction, and of ſo great Concernment to this Our Kingdom of *England*. Upon examination whereof, and in defence of the Laws and Government of this Our Kingdom, which We are truſted and ſworn to defend, We muſt profeſs, That the Petitioners, or the General Aſſembly of Our Church of *Scotland*, have not the leaſt Authority or Power to intermeddle or interpoſe in the Affairs of this Kingdom or Church, which are ſettled and eſtabliſhed by the proper Laws of this Land, and till they be altered by the ſame competent Power, cannot be enveighed againſt, without a due ſenſe of Us and this Nation; much leſs can they preſent any Advice or Declaration to Our Houſes of Parliament againſt the ſame, or to that purpoſe to ſend any Letters, as now they have done, to any Miniſters of Our Church here, who by the Laws of this Land cannot correſpond againſt the ſame. Therefore We do believe, that the Petitioners, when they ſhall conſider how unwarranted it is by the Laws of that Kingdom, and how contrary it is to the Laws of this, to the Profeſſions they have made to each other, and how unbecoming in it ſelf for them to require the ancient, happy and eſtabliſhed Government of the Church of *England* to be altered, and conformed to the Laws and Conſtitutions of another Church, will find themſelves miſled by the information of ſome perſons here, who would willingly engage the Petitioners to foment a Difference and Diviſion between the two Kingdoms, which We have with ſo much care and induſtry endeavoured to prevent, not having laboured more to quench the Combuſtion in this Kingdom, than We have to hinder the like from either devouring *Ireland*, or entring into *Scotland*; which if all others will equally labour, will undoubtedly be avoided. But We cannot ſo eaſily paſs over the mention of *Ireland*, being mov'd to it by ſcandalous Aſperſions that have been often caſt upon Us upon that ſubject, and the uſe that hath been made of the woful Diſtractions of that Kingdom, as of a Seminary of Fears and Jealouſies to beget the like Diſtractions in this, and which (leſt they may have farther influence) We are the more willing to make Our innocence appear in that particular.

When firſt that horrid Rebellion began, We were in Our Kingdom of *Scotland*: and the ſenſe We had then of it, the expreſſions We made concerning it, the Commiſſions (together with ſome other Aſſiſtance) We ſent immediately into that Kingdom, and the Recommendation We made of it to both Our Houſes of Parliament in *England*, are known to all Perſons of Quality there and then about Us. After Our return into *England*, Our ready concurring to all the deſires of both Houſes that might moſt ſpeedily repreſs that Rebellion, by paſſing the Bill of Preſſing, and in it a Clauſe which quitted a Right challenged by all, and enjoyed by many of Our Predeceſſors, by parting with Our Rights in the Lands eſcheated to Us by that Rebellion, for the encouragement of Adventurers, by emptying of Our Magazines Arms and Ammunition for that Service (which We have ſince needed for Our neceſſary Defence and Preſervation)

An. 1642.

ſervation) by conſenting to all Bills for the raiſing of Money for the ſame, though containing unuſual Clauſes, which truſted both Houſes without Us with the matter of diſpoſing it; Our often preſſing both Houſes, not to neglect that Kingdom, by being diverted by Conſiderations and Diſputes leſs concerning both Kingdoms; Our offer of raiſing 10000 Voluntiers to be ſent thither, and Our ſeveral offers to engage Our own Royal Perſon in the ſuppreſſion of that horrid Rebellion, are no leſs known to all this Nation, than Our perpetual earneſtneſs by our Foreign Miniſters to keep all manner of Supplies from being tranſported for the Relief of the Rebels, is known to ſeveral Neighbouring Princes. Which if all Our Subjects will conſider, and withal how many of the Men, and how much of the Money raiſed for that end, and how much Care, Time and Induſtry have been diverted from that Employment, and employed in this unnatural War againſt Us, (the true Cauſe of the preſent miſery and want which Our *Britiſh* Armies there do now endure) they will ſoon free us from all thoſe Imputations ſo ſcandalouſly and groundleſly laid upon us, and impute the continuance of the Combuſtion of that miſerable Kingdom, the danger it may bring upon Our Kingdoms of *England* and *Scotland*, and the beginning of this doleful Deſolation, to thoſe who are truly guilty of it.

For Unity in Religion, which is deſired, We cannot but anſwer, That We much apprehend leſt the Papiſt may make ſome advantage of that expreſſion, by continuing that Scandal with more Authority, which they have ever heretofore uſed to caſt upon the Reformation, by interpreting all the differences in Ceremony, Government, or indifferent Opinions between ſeveral Proteſtant Churches, to be differences in Religion; And leſt Our good Subjects of *England*, who have ever eſteemed themſelves of the ſame Religion with you, ſhould ſuſpect themſelves to be eſteemed by you to be of a contrary; and that the Religion which they and their Anceſtors have held ever ſince the bleſſed Reformation, and in and for which they are reſolved to die, is taxed and branded of Falſhood or Inſufficiency, by ſuch a deſire.

For Uniformity in Church-Government, We conceiv'd the Anſwer formerly given by Us to the former Petition in this Argument, would have ſatisfied the Petitioners, and is ſo full, that We can add little to it; *viz. That the Government here eſtabliſhed by the Laws, hath ſo near a relation and intermixture with the Civil State (which may be unknown to the Petitioners) that till a compoſed diſgeſted Form be preſented to us, upon a free Debate of both Houſes in a Parliamentary way, whereby the Conſent and Approbation of this whole Kingdom may be had, and We, and all Our Subjects may diſcern what is to be left in, or brought in, as well as what is to be taken away, We know not how to conſent to any alteration, otherwiſe than to ſuch an Act for the eaſe of tender Conſciences in the matter of Ceremonies, as We have often offered; and that this, and any thing elſe that may concern the Peace of the Church, and the Advancement of God's true Religion, may be ſoberly diſcuſſed, and happily effected, We have formerly offered, and are ſtill willing that Debates of that nature may be entred into by a Synod of Godly and Learned Divines, to be regularly choſen according to the Laws and Cuſtoms of this Kingdom; to which We ſhall be willing that ſome Learned Divines of Our Church of* Scotland *be likewiſe ſent, to be preſent, and offer and debate their Reaſons.* With this Anſwer the Petitioners had great reaſon to acquieſce, without enlarging the matter of their former Petition only with bitter expreſſions againſt the eſtabliſhed Government and Laws of their neighbour-Nation, (as if it were contrary to the Word of God) with whom they have ſo lately entred into a ſtrict Amity and Friendſhip.

But We cannot enough wonder, that the Petitioners ſhould interpoſe themſelves, not only as fit Directors and Judges between Us and Our Two Houſes of Parliament, in buſineſs ſo wholly concerning the Peace and Government of this Our Kingdom, and in a matter ſo abſolutely entruſted to Us, as what new Laws to conſent or not to conſent to; but ſhould aſſume and publiſh, That the deſire of Reformation in this Kingdom is in a peaceable and Parliamentary way: when all the world may know, that the Proceedings here have been and are not only contrary to all the Rules and Precedents of former Parliaments, but deſtructive to the Freedom, Privilege, and Dignity of Parliaments themſelves; that We were firſt driven by Tumults, for the ſafety of Our Life, from Our Cities of *London* and *Weſtminſter*, and have been ſince purſued, fought withal, and are now kept from thence by an Army, raiſed, as is pretended, by the Two Houſes,

18 *Caroli.*

Houſes, which conſiſt not of the fourth part of the number they ought to do, the reſt being either driven from thence by the ſame violence, or expell'd or impriſoned for not conſenting to the Treaſons and unheard-of Inſolencies practiſed againſt Us: And if the Petitioners could believe theſe Proceedings to be in a peaceable Parliamentary way, they were very unacquainted with the Order and Conſtitution of this Kingdom, and not ſo fit Inſtruments to promote that Reformation and Peace they ſeem to deſire.

We cannot believe the intermixture of the preſent Eccleſiaſtical Government with the Civil State to be other than a very good reaſon; and that the Government of the Church ſhould be by the Rules of Human Policy, to be other than a very good Rule, unleſs ſome other Government were as well *proved*, as *pretended*, to be better warranted by the Word of God.

Of any Bills offered Us for Reformation, We ſhall not now ſpeak, they being a part of thoſe Articles upon which We have offered, and expect to treat: but cannot but wonder by what Authority you prejudge Our Judgment herein, by denouncing God's anger upon Us, and Our hazard of the loſs of the hearts of all Our good Subjects, if We conſent not unto them. The influence of ſo many Bleſſings from Heaven upon the Reigns of Queen *Elizabeth* and Our Father of Bleſſed Memory, and the acknowledgement of them by all Proteſtant Churches to have been careful Nurſes of the Church of Chriſt, and to have excellently diſcharged their Duties in the Cuſtody and Vindication of Religion, and the affection of their Subjects to them, do ſufficiently aſſure Us, that We ſhould neither ſtop the influence of ſuch Bleſſings, nor grieve the hearts of all the Godly, nor hazard the loſs of the hearts of Our good Subjects, although We ſtill maintain in this Kingdom the ſame Eſtabliſhed Eccleſiaſtical Government, which flouriſhed in their times, and under their ſpecial Protection.

We doubt not but Our Subjects of *Scotland* will reſt abundantly ſatisfied with ſuch alterations in their own Church as We have aſſented unto; and not be perſwaded by a meer aſſertion, That there is no hope of the continuance of what is there ſettled by Law, unleſs that be likewiſe altered which is ſettled here: And Our Subjects of *England* will never depart from their dutiful affection to Us, for not conſenting to *New Laws, which by the Law of the Land, they know, We may as juſtly reject, if We approve not of them, as either Houſe hath power to prepare for, or both to propound to Us.* Nor are you a little miſtaken, if either you believe the generality of this Nation to deſire a change of Church-Government, or that moſt of thoſe who deſire it, deſire by it to introduce that which you only eſteem a Reformation, but are as unwilling to what you call the Yoke of Chriſt, and Obedience to the Goſpel, as thoſe whom you call profane and worldly men; and ſo equally averſe both to Epiſcopacy and Presbytery, that if they ſhould prevail in this particular, the abolition of the One would be no lett to the other: nor would your hearts be leſs grieved, your expectations leſs fruſtrated, your hopes leſs aſhamed, or your Reformation more ſecured. And the Petitioners, upon due conſideration, will not find themſelves leſs miſtaken in the Government of all the Reformed Churches, which they ſay is by Aſſemblies, than they are in the beſt way of a Reformation, which ſure is beſt to be in a common and ordinary way, where the paſſion or intereſt of particular men may not impoſe upon the Publick; but alteration be then only made, when, upon calm Debates, and evident and clear Reaſon and Convenience, the ſame ſhall be generally conſented to, for the Peace and Security of the People: and thoſe who are truſted by the Law with ſuch Debates, are not diveſted of that Truſt upon a general charge of Corruptions pretended to have entred by that way, and of being the perſons to be reformed, and ſo unfit to be Reformers. And certainly, the like Logick, with the like Charges and Pretences, might be us'd to make the Parliament it ſelf an incapable Judge of any Reformation either in Church or State.

For the general expreſſions in the Petition againſt Papiſts, in which the Petitioners may be underſtood to charge Us with compliance and favour even to their Opinions; We have taken all occaſion to publiſh to the world Our practice and reſolution in the True Proteſtant Reformed Religion: and we are verily perſwaded, there is no one Subject in either of Our Dominions, who at all knows Us, and hath obſerved Our Life, but is in his Soul ſatisfied of

An. 1642.

Our Zeal and unmovable Affection to that Religion, and of Our true diſlike of, and hearty oppoſition to Popery. And as We willingly conſented, at our being in *Scotland*, to all Acts propoſed to Us for the diſcountenancing and reforming the Papiſts in that Our Kingdom; ſo by Our Proclamations for the putting of all Laws ſeverely in execution againſt Recuſants; and by not refuſing any one Bill preſented to Us to that purpoſe in this Kingdom, and by Our perpetual and publick Profeſſions of readineſs, with the Advice of Our Two Houſes of Parliament, prepared for Us in a deliberate and orderly way, to find ſome expedition to perfect ſo good a work. We conceiv'd we had not left it poſſible for any man to believe Us guilty of tolerating any part of the Romiſh Tyranny or Superſtition, or to ſuſpect that the Converſion of Our deareſt Conſort, was not ſo much Our deſire, that the acceſſion of as many Crowns as God hath already beſtowed upon Us, would be more welcom to Us than that day: A Bleſſing which it is Our daily prayer to the Almighty to beſtow upon Us.

But We might well have expected from the Petitioners, who have in their ſolemn National Covenant literally ſworn ſo much care of the Safety of Our Perſon, and cannot but know in how much danger that hath been, and ſtill is by the power and threats of Rebellious Arms, that they would as well have remembred the *Twenty third of October*, as the *Fifth of November*; and as well have taken notice of the Army raiſed and led againſt Us by the Earl of *Eſſex*, which hath actually aſſaulted and endeavoured to murther Us; which We know to abound in *Browniſts*, *Anabaptiſts*, and other Sectaries, and in which We have reaſon (by the Priſoners We have taken, and the Evidence they have given) to believe there are many more *Papiſts* (and many of thoſe Foreigners) than in all Our Army, as have adviſed Us to disband out of the Army of the Earl of *Newcaſtle*, which is raiſed for Our Defence, the Papiſts in that Army, who are known to be no ſuch number as to endanger their obtaining any power of building their *Babel*, and ſetting up their Idolatry, and whoſe Loyalty he hath reaſon to commend (though he was never ſuſpected for favouring their Religion) not before that of Proteſtants, but of ſuch as rebel under that Title; and whoſe Aſſiſtance is as due to Us by the Law of God and Man, to reſcue Us from Domeſtick Rebellion, as to defend Us from Foreign Invaſion, which We think no man denies to be lawful for them to do. But We do ſolemnly declare and proteſt, That God ſhall no ſooner free Us from the deſperate and rebellious Arms taken up againſt Us, but We ſhall endeavour to free Our Selves and Kingdom from any fear of Danger from the other, by diſarming them according to the Laws of the Land, as We ſhall not fail to ſend Our Commiſſioner to the Aſſembly at the time appointed for it by the Laws of *Scotland*.

To conclude, We deſire and require the Petitioners (as becomes good and pious Preachers of the Goſpel) to uſe their utmoſt endeavours to compoſe any Diſtraction in Opinions, or Miſunderſtandings, which may by the Faction of ſome turbulent perſons be raiſed in the minds of Our good Subjects of that Our Kingdm, and to infuſe into them a true ſenſe of Charity, Obedience, and Humility, the great Principles of Chriſtian Religion; that they may not ſuffer themſelves to be tranſported with things they do not underſtand, or think themſelves concerned in the Government of another Kingdom, becauſe it is not according to the Cuſtoms of that in which they live: but that they diſpoſe themſelves with Modeſty and Devotion to the Service of Almighty God, with Duty and Affection to the Obedience of Us and Our Laws (remembring the ſingular Grace, Favour and Benignity We have always expreſſed to that Our Native Kingdom) and with Brotherly and Chriſtian Charity one towards another; And We doubt not but God in his Mercy to Us and Them, will make Us Inſtruments of his Bleſſings upon each other, and both of Us in a great meaſure of Happineſs and Proſperity to the whole Nation.

About

19 *Caroli.*

About the beginning of *May*, it was moved in *Scotland*, That there might be a joint-meeting of the *Council*, the *Conservators of the Peace*, and the *Commissioners for publick Burthens*: To whom it was proposed, That, considering the hazard the Nation was in, by reason of Armies which were now levying in the North of *England*, there was a necessity of putting the Kingdom in *a posture of Defence*, which could not be done without a Convention of Estates, or a Parliament; and therefore it was urged, That such a Convention might be forthwith summoned. Marques *Hamilton* and several others argued strongly against this; alledging, That for them to indict (or appoint) the same, was an encroachment upon the King's Prerogative in the highest degree, and against the Laws of the Land. However, it was carried by the majority, That the Lord Chancellor should summon a Convention of Estates against the 22d of *June*.

A Proposal to put *Scotland* into a posture of Defence. *May*, 1643.

A Convention of the Estates indicted.

On the 15th of *May* the Earls of *Roxburgh*, *Kinnoul* and *Lanerick* arrived at *Edinburgh*, with Instructions from the King, and the following *Declaration*: with which also was sent a Patent, whereby *Hamilton* for his Services was created a *Duke*.

Hamilton a Duke. *May*, 1643.

His Majesties Declaration to all His Loving Subjects in His Kingdom of Scotland. *May* 1643.

CHARLES R.

His Majesties Declaration to all his loving Subjects in his Kingdom of *Scotland*. *May*, 1643.

AS there hath been no mean left unattempted, which the Malice and Wit of Rebellion could devise, to infect and poyson the Affections and Loyalty of Our good Subjects of Our Kingdom of *England*, and to withdraw their hearts from Us, by the most pernicious and desperate Calumnies that could be invented; to undervalue and lessen our Reputation with Foreign Princes, by Injuries and Affronts upon their Publick Ministers, and by presuming to send Agents qualified for Negotiation without Our consent, and, in truth, to expose Us and Our Royal Authority to scorn and contempt, by assuming a Power over Us: So the pernicious Contrivers of these bloody Distempers have not delighted in any Art more than that, by which they have hoped to stir up Our good Subjects of that Our Native Kingdom of *Scotland* to joyn with them, and to infuse in them a Jealousie and Disesteem of Our true Affection, and Our gracious Intentions towards that Nation. To this purpose they have used great industry to convey into that Our Kingdom, and to scatter and disperse there, divers Seditious Pamphlets framed and contrived against Our Person and Government; and have sent Agents of their own to reside there, and to promote their Designs; one of whom, lately resident there, one *Pickering*, by his Letters of the 9th of *January* to Mr. *Pym*, assures him of the concurrence of that Kingdom, and that the Ministers in their Pulpits do in downright terms press the taking up of *Arms*; and in another of his Letters to Sir *John Clotworthy*, says, That the Trumpet sounded to the Battel, and all cried, *Arm*! *Arm*! with many other bold, scandalous, and seditious passages, very derogatory from the Duty and Affection which We are confident Our good Subjects of that Our Native Kingdom bear to Us. To this purpose, they traduce Us with Raising and Making War against Our Parliament; of having an Army of Papists, and favouring of that Religion; of endeavouring to take away the Liberty and Property of Our Subjects: And upon these grounds they have presumed by a publick Declaration to invite Our good Subjects of Our Kingdom of *Scotland* to joyn with them, and to take up Arms against Us, their natural Leige-Lord. Lastly, to this purpose they endeavour, as well in publick as by secret insinuations, to beget an apprehension in them, That *if We prevail so far* here, as by the Blessing of God to preserve Our Self from the Ruine they have designed to Us, the same will have a dangerous influence upon that Our Kingdom of *Scotland*,

An 1643. *Scotland*, and the Peace eſtabliſhed there; and that Our good Laws, lately eſtabliſhed by Us for the Happineſs and Welfare of that Our Native Kingdom, will be no longer obſerved and maintained by Us, than the *ſame neceſſity*, which they ſay extorted them from Us, hangs upon Us: but that We will turn all Our Forces againſt them. A Calumny ſo groundleſly and impiouſly raiſed, that if We were in any degree conſcious to Our Self of ſuch wicked intentions, We ſhould not only not expect a dutiful ſenſe, in that Our Native Kingdom, of Our Sufferings, but ſhould think Our Selves unworthy of ſo great Bleſſings, and eminent Protection, as We have received from the hands of the Almighty, to whom We muſt yield a dear Account for any breach of Truſt, or failing of Our Duty toward Our People.

But as We have taken ſpecial care from time to time to inform Our good Subjects of that Our Native Kingdom of the Occurrences here, particularly by Our Declaration of the 12th of *Auguſt*, wherein is a clear plain Narrative of the beginning and progreſs of Our Sufferings to that time; So the bold and unwarranted Proceedings of theſe deſperate Incendiaries have been ſo publick to the world, that Our good Subjects of *Scotland* could not but take notice of them; and have obſerved, that after We had freely and voluntarily conſented to ſo many Acts of Parliament, as not only repaired all former Grievances, but alſo added whatſoever was propoſed to Us, for the *future* Benefit and Security of Our Subjects; inſomuch that in truth there wanted nothing to make the Nation compleatly happy, but a juſt ſenſe of their own excellent condition, a *few diſcontented, ambitious and factious perſons* ſo far prevailed over the weakneſs of others, that inſtead of receiving that return of thanks and acknowledgement which We expected and deſerved, Our People were poyſoned with ſeditious and ſcandalous *Fears* and *Jealouſies* concerning Us; We were encountred with more unreaſonable and importunate Demands, and at laſt were driven through Force and Tumults to flee from Our City of *London* for the Safety of Our *Life*. After which, We were ſtill purſued with unheard-of Inſolencies and Indignities; and ſuch Members of either Houſe as refuſed to joyn in theſe unjuſtifiable Reſolutions, were driven from theſe Councils, contrary to the Freedom and Liberty of Parliament: inſomuch that *four parts of five* of that Aſſembly was likewiſe forced, and are ſtill kept from thence; Our Forts, Towns, Ships and Arms were taken from Us; Our Money, Rents and Revenue ſeized and detained; And that then a powerful and formidable Army was raiſed and conducted againſt Us, (a good part of which was raiſed and muſtered before We had given out Commiſſions for raiſing one Man); That all this time We never denied any one thing, but what by the known Law was unqueſtionably Our own; That We earneſtly deſired and preſſed a Treaty, that ſo We might but know at what price We might prevent the Miſeries and Deſolation that were threatned; That this was abſolutely and ſcornfully refuſed and rejected, and We compelled, with ſuch of Our good Subjects as came to Our Succour, to make uſe of Our defenſive Arms, for the Safety of Our Life, and Preſervation of Our Poſterity. What paſſed ſince that Battel hath been given Us, Our own Perſon and Our Children endeavoured to be deſtroyed, thoſe unheard-of Preſſures that have been exerciſed upon Our poor Subjects, by Rapin, Plundering and Impriſonment, and that Confuſion which is ſince brought upon the whole excellent Frame of this Government, is the diſcourſe of *Chriſtendom*. We are very far from making a War with or againſt Our Parliament, of which We Our Self are an Eſſential Part; Our principal Quarrel is for the *Privileges of Parliament*, as well thoſe of the Two Houſes, as Our *Own*. If a few perſons had not by Arts and Force firſt awed, and then driven away the reſt, theſe Differences had never ariſen, much leſs had they ever come to ſo bloody a deciſion. We have often accuſed theſe perſons againſt whom our Quarrel is, and deſired to bring them to no other Trial than that of the Laws of the Land, by which they ought to be tried.

As We have been compelled to take up theſe *Defenſive Arms* for the Safety of Our Life, aſſaulted by Rebellious Arms, the Defence of the true Reformed Proteſtant Religion, ſcornfully invaded by *Browniſts*, *Anabaptiſts*, and other *Independent Sectaries*, (who in truth are the principal Authors and ſole Fomenters of this unnatural War) for the maintenance of the Liberty and Property of the Subjects, (maliciouſly violated by a vaſt, unlimited, arbitrary Power,) for the Preſervation of the Right, Dignity, and Privileges of Parliament, (almoſt

moſt deſtroyed by Tumults and Faction:) So what by violence hath been taken away from Us being reſtored, and the freedom of meeting in Parliament being ſecured, We have lately offered (though We have not been thought worthy of an Anſwer) to Disband Our Army, and leave all Differences to the trial of a full and peaceable Convention in Parliament: And We cannot from Our Soul deſire any Bleſſing from Heaven more than we do a peaceable and happy End of theſe unnatural Diſtractions.

For the malicious groundleſs aſperſion of having *an Army of Papiſts*; though, in the condition and ſtreight to which We are brought, no man had reaſon to wonder if We received Aſſiſtance from any of Our Subjects, of what Religion ſoever, who by the Laws of the Land are bound to perform all offices of Duty and Allegiance to Us: yet it is well known that We took all poſſible care by Our Proclamations to inhibit any of that Religion to repair to Us, which was *preciſely* and *ſtrictly* obſerved (notwithſtanding even all that time We were traduced as being attended by none but *Papiſts*, when in a month together there hath not been *one Papiſt* near Our Court) though *great numbers of that Religion have been with great alacrity entertained in that Rebellious Army* againſt Us. And others have been ſeduced, to whom We had formerly denied Employment, as appears by the Examination of many Priſoners, of whom We have taken Twenty and Thirty *at a time, of one Troop or Company, of that Religion.* What Our opinion is of that Religion, Our frequent ſolemn Proteſtations before Almighty God (who knows Our Heart) do manifeſt to the world; and what is Our Practice in Religion, is not unknown to Our good Subjects of that Our Native Kingdom. And as We have omitted no way Our Conſcience and Underſtanding could ſuggeſt to be for the promoting and advancing the Proteſtant Religion: ſo We have profeſſed Our readineſs in a full and peaceable Convention of Parliament, to conſent to whatſoever ſhall be propoſed by Bill for the better Diſcovery and ſpeedier Conviction of *Recuſants*; for the Education of the Children of *Papiſts* by Proteſtants in the Proteſtant Religion; for the prevention of the practices of Papiſts againſt the State, and the due Execution of the Laws, and the true levying of Penalties againſt them: ſo We ſhall further embrace any juſt Chriſtian means to ſuppreſs *Popery* in all Our Dominions; of which Inclination and Reſolution of Ours, that Our Native Kingdom hath received good Evidence.

For the other malicious and wicked Inſinuation, That Our Succeſs here upon the Rebellious Armies raiſed to deſtroy Us, will have an influence upon Our Kingdom of *Scotland*, and that We will endeavour to get looſe from thoſe wholſom Laws that have been enacted by Us there; We can ſay no more, but Our good Subjects of that Kingdom will remember with what deliberation, Our Self being preſent at all the Debates, We conſented to theſe Acts. And We do aſſure Our Subjects there, and call God Almighty to witneſs of the Uprightneſs and Reſolution of Our Heart in that point, That We ſhall always uſe Our utmoſt endeavours to Defend and Maintain the Rights and Liberties of that Our *Native* Kingdom, according to the Laws eſtabliſhed there; and *ſhall no longer look for Obedience, than We ſhall govern by the Laws.* And We hope that Our Zeal and Carriage, only in Defence of the Laws and Government of this Kingdom, and the ſubjecting Our Self to ſo great Hazard and Danger, will be no great Argument, That when the Work is done, We will paſs through the ſame Difficulties to alter and invade the Conſtitutions of that Our Kingdom. We find diſadvantage enough to ſtruggle with, in the Defence of the moſt upright, innocent, and juſt cauſe of taking up Arms; and therefore if We wanted the *Conſcience*, We cannot the *Diſcretion*, to tempt God in an *unjuſt Quarrel.* The Laws of Our Kingdom ſhall be always Sacred to Us: We ſhall refuſe no hazard to defend them; but ſure We ſhall run none to invade them.

And therefore We do conjure all Our good Subjects of that Our Native Kingdom, by the long, happy, and uninterrupted Government of Us, and of Our Royal Progenitors over them; by the memory of thoſe many, large and publick Bleſſings they enjoyed under Our dear Father; by thoſe ample Favours and Benefits they have received from Us: by their own ſolemn *National Covenant*, and their Obligations of Friendſhip and Brotherhood with the Kingdom of *England*, not to ſuffer themſelves to be miſled and corrupted in their Affections and Duty to Us, by the Cunning, Malice and Induſtry of theſe *Incendiaries* and their Adherents; but to reſiſt, and look upon them as perſons who would

An. 1643. would involve them in their Guilt, and ſacrifice the Honour, Fidelity and Allegiance of that Our Native Kingdom, to their private Ends and Ambition. And We require Our good Subjects there, to conſider, that the perſons who have contrived, fomented, and do ſtill maintain theſe bloody Diſtractions, and this unnatural Civil War, what pretence ſoever they make of their Care of the True Reformed Proteſtant Religion, are in truth *Brownists*, and *Anabaptiſts*, and other *Independent Sectaries*; and though they ſeem to deſire an *Uniformity* of Church-Government with Our Kingdom of *Scotland*, do no more intend, and are ſo far from allowing the Church-Government by Law eſtabliſhed there (or indeed any Church-Government whatſoever) as they are from conſenting to the *Epiſcopal*. And We cannot but expect a greater ſenſe of Our Sufferings, ſince the Obligations We have laid on that Our Native Kingdom are uſed as Arguments againſt Us here, and Our free conſenting to ſome Acts of Grace and Favour there, which were asked of Us, by reaſon of Our neceſſary reſidence from thence, have encouraged ill-affected perſons to endeavour by Force to obtain the ſame here, where We uſually reſide.

To conclude, We cannot think that Our good Subjects there will ſo far hearken to the Treaſon and Malice of Our Enemies, as to interrupt their own preſent Peace and Happineſs. *And God ſo deal with Us, and Our Poſterity, as We ſhall inviolably obſerve the Laws and Statutes of that our Native Kingdom, and the Proteſtations We have ſo often made for the Defence of the True Reformed Proteſtant Religion, the Laws of the Land, the juſt Privileges and Freedom of Parliament.*

The *King* grants a Convention, but with limitations.

His Majeſty having notice, That a *Convention of Eſtates* was ſummoned without his order or privity, reſolved at firſt abſolutely to forbid it; but afterwards by a Letter dated at *Oxford* the 10th of *June*, did permit them to Meet, Conſult, and Conclude, touching ways to ſupply the *Scotiſh* Army in *Ireland*, and touching relieving publick Burthens, by preſſing a ſpeedy payment of the *Brotherly Aſſiſtance* due from *England*: but expreſly required them to limit their Conſultations to thoſe particulars, and that they ſhould do nothing that might tend to the Raiſing of Arms.

The Nature and Power of the Convention of Eſtates.

This *Convention of Eſtates is a Court made up of all the Members of Parliament: but as they are called and ſit without the State or Formalities uſed in Parliament, ſo their Power is to raiſe Money or Forces, but cannot Make or Repeal Laws.* When this Court met on the 22d of *June*, the firſt thing in debate was that Proviſoe or Limitation in the King's Letter: *Hamilton* and eighteen Lords, and but one Knight, voted it *No Convention, but as regulated by the King's Letter*; but all the reſt voted it *A Free Convention*; whereupon *Hamilton* and his Party withdrew, and would ſit in the Convention no more. However they proceeded, and on the ſecond of *Auguſt* the General Aſſembly of the Kirk alſo met.

Commiſſioners ſent from the Parliament of *England* to *Scotland*. Names of the Committee ſent into *Scotland*.

In the mean time the Two Houſes of Parliament in *England* reſolved to ſend certain Commiſſioners into *Scotland*, to negotiate a Treaty of Aſſiſtance, and on the 18th of *July* agreed upon their Inſtructions. The Commiſſioners appointed were, The Earl of *Rutland* and the Lord *Gray* of *Wark* for the Lords, and Sir *William Armyn*, Sir *Henry Vane* the younger, Mr. *Hatcher*, and Mr. *Darley* for the Commons. But the Lord *Gray* refuſed to go, alledging his inability of body to bear ſo long a Journey; and for his contempt to the Houſe therein, was committed to the *Tower*, and ſoon after releaſed. The other Five ſet forward *July* the 20th, and two Miniſters, *viz.* Mr. *Marſhal* and Mr. *Nye*, were appointed to attend them. They went by Sea, and arrived at *Leith Auguſt* the 7th, where they were entertained, and conveyed to *Edinburgh* on the 9th by the Earl of *Lindſay* and Sir *Archibald Johnſton*; and delivered a Declaration of the Two Houſes, expreſſing the

They arrive in *Scotland*, *Aug.* 7.

ſubſtance

19 *Caroli.*

ſubſtance of their errand to the Convention of Eſtates, and another to the General Aſſembly, (which, together with the reſpective Anſwers thereunto, are herein after recited.)

The Aſſembly and Convention reſpectively appointed Committees to treat with them, who propoſed it as the beſt means for the accompliſhing the Union and Aſſiſtance deſired, that both Nations ſhould enter into a *Solemn Mutual* COVENANT, to be drawn by their joint-approbation. Which being drawn, and agreed upon by the ſaid Commiſſioners and Committees, was propounded to the Aſſembly by Mr. *Alexander Henderſon*, the Moderator, *Auguſt* the 7th; and after ſome oppoſition by the King's Commiſſioner (which occaſioned the diſpute of His Majeſty's Negative Voice in the Aſſembly, but overruled) the ſame was carried there, as alſo in the Convention of the Eſtates the ſame day; and on the 18th diſpatch'd for *England* by the Lord *Maitland* (afterwards Duke *Lauderdale*) Mr. *Henderſon* and Mr. *Gilleſpy*, as Commiſſioners from the General Aſſembly, to conſult with the Parliament and the Aſſembly of Divines. They alſo brought Anſwers to the ſeveral Declarations ſent to the Convention and Aſſembly, which follow all together.

The Covenant propoſed.

And brought into *England* by three Commiſſioners from the Aſſembly.

A Declaration of the Lords and Commons of the Parliament of England, *to the Kingdom and Eſtates of* Scotland.

Declaration ſent with the *Commiſſioners* to the Convention of Eſtates, to deſire their ſpeedy Aſſiſtance.

WE the Lords and Commons in Parliament, being very ſenſible of the miſerable ſtate and condition whereunto this Kingdom, and all the other Dominions belonging to this Crown, are fallen, by this preſent War, which the King hath raiſed againſt the Parliament by the inſtigation of the Popiſh, Prelatical, and Malignant Party: Do hereby declare to our Brethren, the Eſtates and other Subjects of the Kingdom of *Scotland*, That not only according to our reſolution and promiſe ſignified in our former Declarations, we have nominated and appointed *Jo.* Earl of *Rutland*, Sir *William Armine* Baronet, Sir *Henry Vane* junior, Knight, *Thomas Hatcher* and *Henry Darley* Eſquires, to be Committees and Commiſſioners of both Houſes of Parliament, or any Three or more of them, for ſetling all matters concerning Debts and Accounts, in which this Kingdom ſtandeth engaged to them; but more eſpecially to *deſire their preſent and ſpeedy Aid and Aſſiſtance* for ſecurity of Religion and Liberty of both Kingdoms, for reſtoring and preſerving the Peace of this Kingdom, and bringing to condign puniſhment the Subjects of either Kingdom, and all other who are and have been the Authors, Incendiaries, or Actors in this unnatural War, raiſed for the alteration of Religion, introducing of Popery, ſubverting the fundamental Government of this Land, and for the hindrance of Reformation in matters of Religion, being a moſt effectual means for preſerving the Peace of both Kingdoms, according to the late Act of Pacification, by which both States ſtand obliged to help one another; whereof we aſſure our ſelves our Brethren will make no doubt, if they pleaſe to conſider, That divers Subjects of the Kingdom of *Scotland*, Noblemen and others, have riſen in Arms, and are joined with the Papiſts and Prelatical Party here, and are now in actual War againſt the Parliament and Kingdom of *England*; which being done without conſent of the Parliament of *Scotland*, all ſuch perſons of that Nation are become Traytors to the Kingdom of *Scotland*, by that Act of Pacification, and both Kingdoms are bound in repreſſing their Forces, by the Publick Faith of each Kingdom declared in that Act. And we deſire our Brethren ſhould take notice, That the ſaid Committees or Commiſſioners have received ample Inſtructions concerning the Propoſition of the Aid deſired, and the ſatisfaction to be made for the ſame, with Power and Authority to agree therein, according to ſuch Inſtructions as they have, or ſhall receive from both Houſes of Parliament. And therefore we deſire that full credit may be given

An. 1643. to them in that behalf: And becauſe our Enemies have already great Forces in divers parts of the Kingdom, and do intend to draw great numbers of Rebels out of *England*, and have ſollicited for other Supplies from Foreign Parts, we do earneſtly requeſt our Brethren of *Scotland* to haſten the Aid deſired, and to conſider, That although in theſe ſtraits and perplexities of Want and Danger they ſhall not receive ſuch plentiful entertainment as might at other times be expected, yet they cannot fail of great Honour and Advantage by this Undertaking, both in the Service therein done to God, whoſe Cauſe it is, and the Dangers and Miſeries which thereby ſhall be kept from themſelves; and they may reſt aſſured, that in all opportunities the Two Houſes of Parliament, and this Nation, will be ready to expreſs their thankfulneſs for the help which they ſhall receive from them, and their forwardneſs and affection to the Peace and Proſperity of that Church and Kingdom.

Signed,

Joh. Browne, *Cler. Parl.*
H. Elſyn. *Cler. P. D. Com.*

The Declaration of the Convention of Eſtates in Scotland, *to the Honourable Houſes of the Parliament of* England.

The Conventions Anſwer.

WE have received from the hands of Sir *William Armine* Baronet, Sir *Henry Vane* junior, Knight, *Thomas Hatcher* and *Henry Darley* Eſquires, Committees and Commiſſioners of the Honourable Houſes of the Parliament of *England*, their Declaration lately ſent unto us, expreſſing the preſent bleeding and diſtreſſed eſtate of that Kingdom, and deſiring a more near and ſtrict Union between the two Nations for their mutual Defence againſt the Papiſts, the Prelatical Faction, and their Adherents, together with our preſent Aid and Aſſiſtance for the relief of our Brethren of *England*; remitting all particulars concerning the ſame to be further communicated to us, by the aboveſaid Committees and Commiſſioners; which particulars have accordingly been made known both to Us and the General Aſſembly of this Kingdom, by the Commiſſioners of the Two Houſes, who have purſued the ſame with ſo great Wiſdom, Fidelity, and Diligence, as hath very much furthered the Work, and deſerves a very large teſtimony on their behalf.

Upon ſerious conſideration hereof, we do declare to theſe Honourable Houſes, That this Kirk and Kingdom are deeply affected with the ſenſe of the ſad calamitous conditions of their Brethren of *England*; and are moſt ready and willing to contribute their beſt and utmoſt endeavours for the preſervation of Religion, which is no other than the Soul; the Proteſtant Party, which is the Body; our own Lives, who are the Members; and the Honour and Happineſs of the King, who is the Head of theſe Kingdoms: All theſe being in ſo extreme and imminent danger to be utterly ruined, by the Power and Policy of the Papiſts, Prelatical Faction, Malignants, and other Adherents, the common Enemies of both Kingdoms, now raging in Arms as well in *England* as in *Ireland*.

For further confirmation hereof, we may truly ſay, That this our ſympathy and willingneſs to have the Counſels and Courſes of both Kingdoms joined together for the Common Safety of this Iſland, as it hath been often largely expreſſed and promiſed by the ſeveral Judicatories of this Kirk and Kingdom, ſo it will now moſt evidently appear, by the reſults of the Committees of the Aſſembly, and our Committees, with the Commiſſioners of the Honourable Houſes; and by the other Declarations, Letters, and Actions both of Us, and the General Aſſembly, concerning the nearer Union between both Kirks and Kingdoms, for the mutual Defence againſt Papiſts, Prelates, and Malignants, and the moſt effectual means for the ſaving of the Religion, King and Kingdoms from the preſent Dangers; of all which the Commiſſioners of the Two Houſes will be the beſt Witneſſes, and the Papers themſelves the cleareſt Evidences and Demonſtrations. And ſeeing the General Aſſembly of this Kingdom do ſend into *England* ſome of their number (Men of approved Faithfulneſs and Abilities) to be

19 *Caroli.*

be Commiſſioners from them, for contributing their beſt endeavours to encourage the hearts and ſtrengthen the hands of that Kirk and Kingdom in this Cauſe of God againſt all their preſent Difficulties and Diſtreſſes, which God in his own good time and way will turn into a comfortable Calm, and give iſſue with the temptation.

We have thought fit hereby to commend the ſaid Commiſſioners, and any other whom we ſhall ſend with them, to be received by the Parliament of *England*, and Aſſembly of Divines there, with Favour and Truſt, and have given Warrant to them more largely to expreſs the Chriſtian ſenſe and fellow-feeling of this Kirk and Kingdom with their Brethren of *England*, and their willingneſs and readineſs to concur in all good and poſſible ways for the Common Safety of the Kingdoms, and for to ſatisfie Scruples, prevent Miſapprehenſions, and remove Difficulties that may occur in the way of this great Work.

And that nothing might be wanting on our part for proſecuting the Common Cauſe, and anſwering the expectation and deſires of our Brethren of *England*, both the General Aſſembly and Convention of Eſtates, being neceſſitated to adjourn for the good of the buſineſs, (the extremity of the Dangers requiring ſpeedy prevention) they have given very full and ample Commiſſions to the Commiſſioners reſiding at *E.* for to do every thing that ſhall be found by common Advice neceſſary and poſſible for ſo good ends, being ſo throughly ſenſible of the growing Evils & Miſeries that are ready to over-run our Siſter Kirk & Kingdom of *England*, and through their ſides to wound us, that we ſhall not content our ſelves only to manifeſt our affections in Declarations, but, when the opportunity ſerves, ſo far as lies in us, ſhall ſhew forth our ſelves in every lawful way ſutable to our own Dangers, and Extremities of our Brethren, to whom we are, and deſire yet to be more firmly joined in ſo many near Ties and Relations.

Signed,

Arch. Primroſe, *Cler. Convent.*

A Declaration of the Lords and Commons in the Parliament of England, *to the General Aſſembly of the Church of* Scotland.

Declaration ſent with the *Commiſſioners* to the Aſſembly of the Kirk.

THe Lords and Commons in Parliament, acknowledging with humble thankfulneſs to Almighty God, the Diſpoſer of hearts, the Chriſtian Zeal and Love which the General Aſſembly of the Churches of *Scotland* have manifeſted, in their pious endeavours for the Preſervation of the True Reformed Proteſtant Religion from the ſubtil Practices and Attempts of the Popiſh and Prelatical Party, to the neceſſary Reformation of Church-Diſcipline and Government of this Kingdom, and the more near Union of both Churches: Do earneſtly deſire that Reverend Aſſembly to take notice, That the Two Houſes of Parliament fully concurring with them in thoſe pious intentions, for the better accompliſhment thereof, have called an Aſſembly of divers godly and learned Divines, and others of this Kingdom, unto the City of *Weſtminſter*, who are now ſitting and conſulting about theſe matters. And likewiſe have nominated and appointed *John* Earl of *Rutland*, Sir *William Armine* Baronet, Sir *Henry Vane* the younger, Knight, *Thomas Hatcher* and *Henry Darley* Eſquires, Committees and Commiſſioners of both Houſes to the Kingdom and States of *Scotland*, who, beſides their Inſtructions in matters concerning the Peace and Commonweal of both Kingdoms, have received directions to reſort to the General Aſſembly of the Church of *Scotland*, and propound and conſult with them, or any Commiſſioners deputed by them, in all occaſions which may further the ſo much-deſired Reformation in Eccleſiaſtical matters in this Church and Kingdom. In performance whereof, Maſter *Stephen Marſhal* and Maſter *Philip Nye*, Miniſters of God's Word, and Men of approved Faithfulneſs and Ability in their Function, both Members of this Aſſembly of Divines here congregated and ſitting, are appointed to aſſiſt and adviſe the ſame Committee in ſuch things as ſhall concern this Church. And the Two Houſes do hereby commend the Committees and Divines aforementioned to the Reverend Aſſembly of the Church of *Scotland*, to

An. 1643. be by them received with favour, and credited in theſe things which they, or any three or more of them, ſhall propound to them.

It is likewiſe deſired, That the Reverend Aſſembly will, according to their former promiſe and reſolution, ſend to the Aſſembly here ſuch number of godly and learned Divines, as in their Wiſdom they think moſt expedient, for the furtherance of this Work, which ſo much concerns the Honour of God, the Proſperity and Peace of the two Churches of *England* and *Scotland*, and which muſt needs have a great influence in procuring a more ſafe and proſperous condition to other Reformed Churches abroad. And that their endeavours may be more effectual, the Two Houſes do make this requeſt to them, with their Authority, Advice, and Exhortation, ſo far as belongs to them, to ſtir up that Nation to ſend ſome competent Forces in aid of this Parliament and Kingdom, againſt the many Armies of the Popiſh and Prelatical Party, and their Adherents, now in Arms for the Ruine and Deſtruction of the Reformed Religion, and all the Profeſſors thereof. In all which they ſhall do that which ſhall be pleaſing to God, whoſe Cauſe it is, and likewiſe ſafe and advantageous to their own Church and Kingdom, who cannot enjoy the great Bleſſing of Religion, Peace and Liberty in that Kingdom, if this Church and Kingdom, by the prevailing violence of that Party, ſhall be brought to Ruine and Deſtruction.

Signed,

John Browne, *Cler. Parliamentorum.*
H. Elſyng, *Cler. Parl. Dom. Com.*

The General Aſſemblies Anſwer and Declaration to the Parliament of England.

The General Aſſemblies Anſwer.

THE General Aſſembly of the Church of *Scotland*, having received a Declaration from the Honourable Houſes of the Parliament of *England*, by their Committees and Commiſſioners now reſiding here, have thought good to make known to the Lords and Commons in Parliament, That all the Members of this Aſſembly, and others well-affected here: Do with moſt thankful reſpects take ſpecial notice of the expreſſions which they have been pleaſed to make in the aforenamed Declaration, not only concerning their approbation of the deſires and endeavours of the General Aſſembly of this Kirk for the Reformation of the Kirk of *England*, and the Union of both Kirks in Religion and Church-Government, but alſo concerning the reſolution of both Houſes fully to concur with them in thoſe pious intentions. With the ſame thankfulneſs, and due reverence, they acknowledge the high reſpects expreſſed towards them by both Houſes, in directing unto them their Committees and Commiſſioners, aſſiſted by two Reverend Divines, and in deſiring ſome of the godly and learned of this Kirk to be ſent unto the Aſſembly ſitting there. The Aſſembly doth bleſs the Lord, who hath not only inſpired the Houſes of Parliament with Deſires and Reſolutions of the Reformation of Religion, but hath advanced by ſeveral ſteps and degrees that bleſſed Work, by which as they ſhall moſt approve themſelves to the Reformed Kirks abroad, and to their Brethren of *Scotland*, ſo ſhall they moſt powerfully draw down from Heaven the Bleſſings of Proſperity and Peace upon *England*; And as it is the earneſt wiſh of their Brethren here, that the true ſtate and ground of the preſent Differences and Controverſies in *England*, may be more and more cleared, to be concerning Religion; and that both Houſes may inceſſantly proſecute that good Work, firſt, and above all other matters; giving no ſleep to their eyes, nor ſlumber to their eye-lids, until they find out a place for the Lord, an habitation for the Mighty God of *Jacob*, whoſe favour alone can make their Mountain ſtrong, and whoſe preſence in his own Ordinances ſhall be your glory in the midſt of them: ſo it is our confidence, that the begun Reformation is of God, and not of Men; that it ſhall increaſe, and not decreaſe; and that He to whom nothing is too hard, who can make Mountains Valleys, crooked things ſtreight, and rough ways ſmooth, ſhall lead along and make perfect this moſt wonderful Work, which ſhall be remembred to his Glory in the Kirk, throughout all Generations.

Caroli 19.

ons. And leſt through any defect upon the General Aſſemblies part, the Work of Reformation (which hitherto, to the great grief of all the Godly, hath moved ſo ſlowly) ſhould be any more retarded or interrupted; They have, according to the renewed deſires of both Houſes of Parliament, and their own former promiſes, nominated and elected Maſter *Alexander Henderſon*, and Maſter *George Gilleſpie*, Miniſters of God's Word, and *John* Lord *Maitland*, Ruling Elder, all of them Men much approved here, with Commiſſion and Power to them, to repair unto the Aſſembly of Divines, and others of the Kirk of *England*, now ſitting at *Weſtminſter*, to propound, conſult, treat and conclude with them, or with any Committees deputed by the Houſes of Parliament (if it ſhall ſeem good to the Honourable Houſes in their Wiſdom to depute any for that end) in all ſuch things as may conduce to the utter Extirpation of Popery, Prelacy, Hereſie, Schiſm, Superſtition and Idolatry, and for the ſetling of the ſo-much-deſired Union of this whole Iſland in one form of Church-Government, one Confeſſion of Faith, one common Catechiſm, and one Directory for the Worſhip of God, according to the Inſtructions which they have received, or ſhall receive from time to time, with the Aſſemblies Power for that end. And as the General Aſſembly doth moſt gladly and affectionately receive, and fully truſt the Committees and Divines ſent hither, ſo do they hereby commend their aforenamed Commiſſioners, not only to the like Affection and Truſt of that Aſſembly there, but alſo to the Favour and Protection of both Houſes of Parliament.

Names of the *Commiſſioners* from the Kirk of *Scotland*.

And for the further ſatisfaction and *encouragement of their Brethren of* England, the whole Aſſembly in their own Name, and in the Name of all the particular Kirks of this Kingdom, whom they repreſent, *Do hereby declare*, That from their Zeal to the Glory of God, and Propagation of the Goſpel, from their Affection to the Happineſs of their *Native King*, and of the Kingdom of *England*, and from the ſenſe of their own Intereſt in the common Dangers of Religion, Peace, and Liberty, they are moſt willing and ready *to be United and Aſſociated with their Brethren in a near League and ſolemn Covenant* for the maintenance of the *truly Reformed Religion againſt Popery and Prelacy*, and againſt all Popiſh and Prelatical Corruptions in Doctrine, Diſcipline, Worſhip, or Church-Government, and for the ſetling and *holding faſt of Unity and Uniformity betwixt the Kirks of this Iſland*, and *with the beſt Reformed Kirks beyond Sea*. Which Union and Covenant ſhall, with God's aſſiſtance, be ſeconded by their co-operating with their Brethren in the uſe of the beſt and moſt effectual means that may ſerve for ſo good ends. For the more ſpeedy effectuating whereof, to the comfort and enlargement of *their diſtreſſed Brethren*, (whoſe hope deferred, may make their heart faint) the whole Aſſembly, with great unanimity of Judgment, and expreſſions of much affection, have approved (for their part) ſuch a Draught and Form of a Mutual League and Covenant betwixt the Kingdoms, as was the reſult of the joint Debates and Conſultations of the Commiſſioners from both Houſes, aſſiſted by the two Reverend Divines, and of the Committees deputed by the Convention of Eſtates of this Kingdom, and from the General Aſſembly, expecting and wiſhing the like approbation thereof, by the Right Honourable the Lords and Commons in Parliament, and by the Reverend Aſſembly there; that thereafter it may be ſolemnly ſworn and ſubſcribed in both Kingdoms, as the ſureſt and ſtraiteſt Obligation to make both ſtand and fall together in that Cauſe of Religion and Liberty.

As the Eſtates of this Kingdom have often profeſſed in their former Declarations, the integrity of their intentions againſt the common Enemies of Religion and Liberty in both Kingdoms, and their great affection to their Brethren of *England*, by reaſon of ſo many and ſo near relations: ſo doubtleſs in this time of need, *They will not fail to give real proof of what before they profeſſed.* A Friend loveth at all times, a Brother is born for adverſity; neither ſhall the Aſſembly or their Commiſſioners be wanting in exhorting all others to their Duty, or in concurring ſo far as belongeth to their Place and Vocation, with the Eſtates now convened, in any lawful and poſſible courſe which may moſt conduce to the good of Religion and Reformation, the Honour and Happineſs of the King's Majeſty, the deliverance of their Brethren of *England* from their preſent calamitous condition, and to the perpetuating of a firm and happy Peace betwixt the Kingdoms.

Signed, A. Johnſton, *Cler. Eccle.*

Reaſons

An. 1643.

A Declaration of Reaſons for aſſiſting the Parliament of England *againſt the Papiſts and Prelatical Army, by the General Aſſembly of the Kirk of* Scotland.

The General Aſſembly's Reaſons for aſſiſting the Parliament.

First, THE Controverſie now in *England* being betwixt the Lord Jeſus and Antichriſt with his followers, if we would not come under the Curſe of *Meroz*, we ſhould come out upon ſo clear a call, from the Repreſentative Body of *England*, to the Repreſentative Body of *Scotland*, and help the Lord againſt the Mighty; being aſſured that the help that we give to his Kirk, in ſuch an exigent, is given to himſelf, and ſhall not want a bleſſed reward.

Secondly, There was an Act paſſed by the Convention of Eſtates, *Anno* 1585. conformed to the deſire of the General Aſſembly 1583. for a common Band and Union betwixt the two Kingdoms, wherein the Eſtates found it neceſſary for their own ſafety, and the ſafety of Religion, not only to joyn all their Forces at home, but alſo to enter in a League, and Chriſtian Confederation, with all Proteſtant Princes and Eſtates, againſt the bloody League at *Trent*; and do think that this defence of the Goſpel, is the moſt lawful Cauſe that Chriſtians can maintain and defend, eſpecially this Union betwixt the two Kingdoms, againſt all attempts contrary to either of them, to be a neceſſary ſecurity for both their Eſtates; and they conceive the ſame League to be offenſive and defenſive in matters of Religion, and do ſolemnly ſwear to confirm the whole Articles thereof in the next Parliament, and neither to ſpare their Lives nor Goods in the Quarrel, and maintenance thereof, both againſt Foreign Invaſion, and Inteſtine Inſurrection of Papiſts within this Iſland; Conformed to which there followed, firſt a League betwixt the two Crowns, ſubſcribed at *Berwick*, 1586. to the ſame effect, and upon the fear and apprehenſion of the *Spaniſh Armada*, 1587. and 1588. the Confeſſion of Faith was ſubſcribed by all the Subjects of that Kingdom, together with the general Band therein, by Order of the King, Council and Convention of States, the Subjects did Swear to joyn and concur with the whole Forces of their Friends and Favourites, againſt whatſoever Foreign, or Inteſtine Powers of Papiſts and their Partners ſhould arrive or riſe, within that Land, or any part thereof, ready to defend or purſue them; and therefore the Cauſe being the ſame, the Parties being the ſame, and the danger being the ſame now, we are bound to perform now, what we promiſed them.

Thirdly, We ſtand obliged to *England* for old kindneſs to us, being in the ſame poſture then, that they are in now; for in the year 1556. and 1557. the Eſtates of this Land, finding the Reformation of Religion oppoſed by their own Princes with Arms and Violence, and themſelves oppreſſed by the Popiſh Army, ſought and obtained the aſſiſtance of an Army from *England*, upon the Conditions recorded in the Hiſtory, whereby they expelled the *French* Army, made the Pacification at *Leith*, held the Parliament 1560. eſtabliſhed the Religion. Therefore they got new aſſiſtance from *England*, to ſuppreſs the general Popiſh Faction, whereby they took in the Caſtle of *Edinburgh* from the Laird of *Grange*; and in that publick Printed Prayer, prefix'd to the Pſalm-Book, we ſolemnly promiſed never to forget their kindneſs againſt the *French*, and if we call to mind the manifeſtation of the lawfulneſs of the Expedition into *England*, we ſtand obliged to them for their late kindneſs; for they not only refuſed to levy Arms againſt us in the laſt Troubles, but alſo did mediate for a Treaty, did welcome and kindly entertain our Army for a year, did freely beſtow upon us their Brotherly Aſſiſtance of thirty thouſand pound, whereupon we acknowledged our thankfulneſs, not to conſiſt in Affection and Words at that time, but in the mutual kindneſs and real Declaration to be expected from the whole Kingdom of *Scotland*, in all time to come; beſides Solemn Promiſes and Vows, repeated in our late Declaration and Information publiſhed to the World, wherein we aſſure them of our help, in their need, as in the Remonſtrance of the States of *Scotland*, 1639. pag. 28. Remonſtrance to the Parliament of *England* 1640. pag. 15, 16. Intentions of the Army of *Scotland*, near the end.

Fourthly, The common danger eminent to both Kirks and Kingdoms do invite us to help them; for as we have expreſſed in many Declarations, we and they fail in one Bottom, dwell in one Houſe, are Members of one Body, that

Caroli 19.

that according to their own Principles, if either of the two Nations, or Kirks, be ruinated the other cannot long ſubſiſt, if the Parliament of *England* be deſtroyed, and Popery be ſet up there, it is a leading caſe to this Kingdom and Kirk; for we have the ſame Friends and Foes, the ſame Cauſe, and muſt run the ſame hazard, and many years experience hath taught us, what influence Popery and Prelacy in *England* may have upon *Scotland*; for from thence came the Prelates, the Ceremonies, the Book of Common Prayers, Service-Book, and upon our refuſal the bloody Sword came from thence; therefore we are to take *England*'s conditions to Heart, as a common Cauſe, to put forth our helping Hand, if we tender Religion, Laws, and Liberties.

Fifthly, The common advantage redounding to both Kirks and Kingdoms, do perſwade help; for hereby we have a fair opportunity to advance Uniformity in Diſcipline and Worſhip, which will prove the ſureſt Bond of Union, and Bulwark to both: And it is moſt deſired by the Godly, and moſt oppoſed by Papiſts. They have already laid the Foundation of a good Building, by caſting out Prelacy, that great Idol, and they are now calling for our help to rear the Building, and put on the Cap-ſtone in God's own time, and alſo that Union will prove the greateſt terrour abroad of both Kingdoms, and the greateſt comfort and incouragement to the bleeding, down-born Kirks abroad, and may give the greateſt blow to the Kingdom of Antichriſt.

Sixthly, If we forſake *England*, we forſake our deareſt Friends, who can beſt help us in caſe we be reduced to the like ſtraits hereafter, by the common Adverſary; for the diſtance and diſtreſſed Eſtates of other Proteſtant Kirks, make them unable to help us in this kind, and if we denude our ſelves of the ſupport of *England*, by ſuffering them to ſink, we do not only betray their ſafety but our own, let us do herein as we would be done to: What courſe would we crave of them in caſe the Popiſh and Malignant Faction did prevail, by Murthers and Rapines, as in the days of the Queen Regent did ruine our Kirks and Kingdom? Certainly no Anſwer would be ſatisfactory but timely help.

Seventhly, If we ſuffer the Parliament of *England* to be cut off, we have loſt our Peace with *England*; becauſe after our diſappointment through breach of the Declaration at *Dunce*, we reſolved to ſeek not a preſent, but a durable Peace for our ſelves and our Poſterity, and the ſureſt Mean we could pitch on, was to ſettle our demands by advice of the Parliament of *England*, as the beſt caution and warrant of our Peace; and particularly that Parliament hath undertaken upon Publick Faith to purſue and apprehend any of their Subjects that ſhould break the Peace by invading this Kingdom; therefore Religion and Senſe teaches us to ſee to the preſervation of that Amity, which did obtain, and yet doth maintain our Religion and Liberties, againſt the Deſigns of our Common Enemies in *England*, Papiſts and Prelates; ſeeing we may remember that theſe Perſons, who now bide in the Parliament, were the main Impediments of Subſidy, for levying War againſt us, and the privy Procurers of that Brotherly Aſſiſtance, and ſo are probably the Inſtruments that will moſt ſecure our Peace from any diſturbance from that Kingdom: But if they be deſtroyed, and the Popiſh and Prelatical Faction, the Workers of our woe, do over-rule the Parliament, that being forced by Arms, we may expect War both from King and Parliament, which they will over-power, and may upon three Months warning, denounce War againſt us, whereunto they will not want pretences; and we have reaſon to fear that; ſeeing they know their diſ-appointment to have come from this Kingdom; yea, they do conſtruct all reſiſting of the King by Arms, to be Rebellion and foul Treaſon; yea, ſome of the Malignants at home are reported to have vented, that the King was not tied to keep what he had granted to us, becauſe by calling and keeping of that Convention, we have firſt broken to him.

Eightly, If we ſhould deſert them at this time, yet as *Mordecai* ſaid to *Eſther*, deliverance ſhall ariſe to them from elſewhere, but we and our Father's Houſe may look for deſtruction; and who knoweth but we are reſtored to our Religion and Liberties, to a free Convention at this time, and made a Mirror of God's Mercy to all Nations and Kirks, that we may *help our Brethren of* England, powring out their Tears and Blood for a Reformation? Such an occaſion to expreſs love to Chriſt, and zeal for his Cauſe, was never offered to any Nation: Therefore as the two Tribes of *Reuben* and *Gad*, with the half of *Manaſſeh*, did not ſit down and take their eaſe, but went over *Jordan*, armed before

before their Brethren, to possess them in the Land of Promise; so should we go
An. 1643. before our Brethren, and help them to the Liberty of the Gospel, and casting out of the Canaanite.

Ninthly, That the only means for the procuring of a happy agreement betwixt the King and the Parliament, is by putting up of the Sword, and saving Christian Blood from being shed, suppressing of Papists, and establishing Religion in his Dominions; for humble Supplications and Remonstrances reached out with naked Hands will not prevail with our Adversaries, who have environed our King, and closed his Ears to the cry of his Subjects. But it will be objected, seeing our Religion and Liberties are established according to our own desires, by Act of Assembly and Parliament with his Majesty's consent; and seeing his Majesty's Declaration to the whole Kingdom, and Letter to every Nobleman and Burrough to give assurance for preservation of the same without altering, we have no interest nor hazard, however business go in *England*; but should keep our selves in peace and quiet.

1. Answer, In all the proceedings of this business we have from time to time declared, That neither verbal Promises, nor fair Declarations for maintaining Religion and Liberty could secure us, because we have so often found *facta verbis contraria*, and that by the power and means of our Adversaries. As for Example, the Treaty at *Dunce*, when we for his Majesty's Honour confided to verbal Gracious Expressions of his Majesty's, for conditions of the Treaty; yet afterwards they were denied, and burnt by the Hands of the Hangman, and all reversed that then was condescended on, for our Religion and Liberty, and an Army levied against us. It was the Counsel of *Monsieur de Thou* to the Queen Regent at St. *Andrews*, for reversing our first Reformation, to grant our Predecessors in fair Promises and Declarations all that they craved, and when thereby they should be divided, to interpret these by her self, and to take order with the heads of the Opponers; and this policy was used by the King of *France* for the subverting of the Protestant Religion; for he fed the one half of them with fair promises of Freedoms and Privileges, until he had cut off the other half, as witnesseth *Monsieur de Thou*, 71. *pag.* 463.

2. As we have found by former experience, that the establishment of our first Reformation by an Act of Assembly and Parliament, could not secure us from the violent pressing of Innovations against both; and in the new Remonstrance, 1640. *pag.* 16. we have fully exprest, that no Assembly or Parliament, no rotten Cable nor slipping Anchor of Articles, whereunto we had fastned our hopes, can be any Road or Harbour of safety for us, so long as our Enemies sit at the Helm, and govern the King's Council, and Courses, and who makes the King's Majesty, by extrajudicial Declarations, to enerve and evacuate all that is done in Assembly and Parliament, and to interpret Laws contrary to the advice of Judicators of Kirk and State: And of late our Mediation betwixt him and his Parliament was rejected, contrary to the advice and judgments of Commissioners of the Peace, the Counsel and hard Answer to the Commissioners of the Kirk, that it was contrary to any Article of the Treaty, and the Act of the General Assembly, and his stopping of our Commissioners to go to *London*, contrary to his own safe conduct.

3. If the Parliament of *England* that now is, be destroyed, who shall undertake for our safety? As the King's Declarations of his own Intentions cannot exceed his Person, nor secure us at the hands of his Successors, so we may perceive in the late discovery of the Plots of the *Scots*, *English*, and *Irish* Papists, that these Declarations can be no sufficient security against the surprizing of Papists and Malignants, if they be permitted to carry Arms within any of the Kingdoms.

But we are a poor People not able for such an undertaking.

For Answer, the Representative Body of the Kingdom now Convened, can best satisfie this Objection. Secondly, When God calls his People, and makes them willing, he gives them also strength, that through him they do valiantly. Thirdly, God hath helped us in all Enterprises for his Cause, and he will yet provide, in the Mount it shall be seen; we were but poor the last time we went to the Field in his Errand, and yet he provided for us beyond expectation; his Hand is not shortned that he cannot save; if the Lord call us, he will be with us; and if he be with us, we shall not want; we hope the wise Convention of States will see to the conditions, that the Kingdom receive as little detriment as may

may be, only let us not think it ſtrange if the beſt works meet with the greateſt difficulties. Thirdly, It is objected, they will not embrace a Presbyterial Government in the Kirk, and ſo no hope of Uniformity. *Anſwer*: They have already put out Epiſcopal Government, root and branch, neither will they, nor do the Proteſtant Kirks know of any other but Presbyterial.

Secondly, Their zealous Predeceſſors having in the days of Queen *Eliz.* adventured upon many and heavy ſufferings for ſetting up a Presbyterial Government, were born down with the Streams of the Times, and the Power of Prelacy; and if any zealous Man amongſt them have their Scruples againſt Presbyterial Government, we truſt the Lord will reveal the Truth unto them.

Thirdly, They have in many Declarations expreſs'd their reſolutions and deſires for Uniformity.

19 *Caroli.*

The aforeſaid Model of a Covenant ſent out of *Scotland*, being preſented to the Two Houſes of Parliament in *England*, *Aug.* 28. was by them, after ſome ſmall alterations, conſented unto; and by an Order of the Commons, dated *Sept.* 21. 1643. printed and publiſhed; and on the next day it was appointed to be taken publickly in St. *Margaret's* Church at *Weſtminſter*, by the Houſe of Commons, and the Aſſembly of Divines. And *Philip Nye* (who was then returned from *Scotland*) was ordered to make an Exhortation, Mr. *John White* to pray before, and Dr. *George* after, the Exhortation; and *Alexander Henderſon*, as one of the Commiſſioners from the Aſſembly of the Kirk of *Scotland*, made alſo a Speech. The manner of taking it was thus; The Covenant was read, and then notice was given, That each Perſon ſhould immediately by Swearing thereunto, Worſhip the great Name of God, and teſtifie ſo much outwardly, by lifting up their Hands; and then they went up into the Chancel, and there ſubſcribed their Names in a Roll of Parchment, in which this Covenant was fairly written.

The taking of the Covenant at St. *Margarets Weſtminſter*, *Sept.* 22. 1643.

But before it was tendred to be taken generally by the People, the Two Houſes ordered the Aſſembly of Divines to frame an Exhortation, to be read before the taking it; who having compoſed the ſame, it was approved by both Houſes; which Exhortation and Covenant were as followeth.

An Exhortation to the taking of the Solemn League and Covenant, for Reformation and defence of Religion, the Honour and Happineſs of the King, and the Peace and Safety of the three Kingdoms of England, Scotland, *and* Ireland.

IF the Power of Religion, or ſolid Reaſon; if Loyalty to the King, and Piety to their Native Country, or Love to themſelves, and Natural Affection to their Poſterity; if the Example of Men touched with a deep ſenſe of all theſe, or extraordinary Succeſs from God thereupon, can awaken an embroyled bleeding Remnant, to embrace the Sovereign and only means of their Recovery, there can be no doubt, but this Solemn League and Covenant will find, whereſoever it ſhall be tendred, a People ready to entertain it with all cheerfulneſs and duty.

The Exhortation to the taking of the Covenant.

And were it not commended to the Kingdom, by the concurrent encouragement of the Honourable Houſes of Parliament, the Aſſembly of Divines, the renowned City of *London*, multitudes of other Perſons of eminent rank and quality of this Nation, and the whole Body of *Scotland*, who have all willingly Sworn and Subſcribed it, with rejoicing at the Oath, ſo graciouſly ſeconded from Heaven already, by blaſting the Counſels and breaking the Power of the Enemy more than ever; yet it goeth forth in its own Strength, with ſuch convincing evidence of Equity, Truth, and Righteouſneſs, as may raiſe in all

An. 1643. (not wilfully ignorant or miſerably ſeduced) inflamed affections to join with their Brethren in this happy Bond, for putting an end to the preſent Miſeries, and for ſaving both King and Kingdom from utter ruine, now ſo ſtrongly and openly laboured by the Popiſh Faction, and ſuch as have been bewitched and beſotted by that viperous and bloody Generation.

For what is there almoſt in this Covenant, which was not for ſubſtance either expreſſed or manifeſtly included in that Solemn Proteſtation of *May* 5. 1641. wherein the whole Kingdom ſtands ingaged until this Day? The ſinful neglect whereof, doth (as we may juſtly fear) open one Floodgate the more to let in all theſe Calamities upon the Kingdom, and caſt upon it a neceſſity of renewing a Covenant; and of entering into this.

If it be ſaid, the extirpation of Prelacy, to wit, the whole Hierarchical Government (ſtanding as yet by the known Laws of the Kingdom) is new, and unwarrantable; This will appear to all impartial Underſtandings, (though new) to be not only warrantable but neceſſary; if they conſider (to omit what ſome ſay, That this Government was never formally eſtabliſhed by any Laws of this Kingdom at all) that the very Life and Soul thereof is already taken from it, by an Act paſſed this preſent Parliament, ſo as (like *Jezabel's* Carcaſe, of which no more was left but the Skull, the Feet, and the Palms of her Hands,) nothing of Juriſdiction remains but what is precarious in them, and voluntary in thoſe who ſubmit unto them; that their whole Government is at beſt but a Humane Conſtitution, and ſuch as is found and adjudged by both Houſes of Parliament, (in which the Judgment of the whole Kingdom is involved and declared,) not only very prejudicial to the Civil State, but a great hindrance alſo to the perfect Reformation of Religion: Yes, who knoweth it not to be too much an Enemy thereunto, and deſtructive to the Power of Godlineſs, and pure adminiſtration of the Ordinances of Chriſt? which moved the well affected, almoſt throughout this Kingdom, long ſince to Petition this Parliament (as had been deſired before, even in the Reign of Queen *Elizabeth* and of King *James*) for a total abolition of the ſame; nor is any Man hereby bound to offer any Violence to their Perſons; but only, in his Place and Calling, to endeavour their extirpation in a lawful way.

And as for thoſe Clergy-men, who pretend that they (above all others) cannot Covenant to extirpate that Government, becauſe they have (as they ſay) taken a Solemn Oath to obey the Biſhops, *in licitis & honeſtis*: They can tell, if they pleaſe, that they that have ſworn Obedience to the Laws of the Land, are not thereby prohibited from endeavouring, by all Lawful Means, the abolition of thoſe Laws, when they prove inconvenient or miſchievous. And, if yet there ſhould any Oath be found, into which any Miniſters or others have entred, not warranted by the Laws of God and the Land, in this caſe, they muſt teach themſelves and others, that ſuch Oaths call for repentance, not pertinacy in them.

If it be pleaded that this Covenant croſſeth the Oaths of *Supremacy* and *Allegiance*, there can be nothing farther from Truth; for this Covenant binds all, and more ſtrongly engageth them to preſerve and defend the King's Majeſty's Perſon and Authority, in the preſervation and defence of the true Religion and Liberties of the Kingdoms.

That Scruple, That this is done without the King's conſent, will ſoon be removed, if it be remembred, that the Proteſtation of the 5th. of *May* before-mentioned, was in the ſame manner voted and executed by both Houſes, and after (by Order of one Houſe alone) ſent abroad to all the Kingdom, his Majeſty not excepting againſt it, or giving any ſtop to the taking of it, albeit he was then reſident in Perſon at *Whitehall*.

Thus *Ezra* and *Nehemiah* drew all the People into a Covenant, without any ſpecial Commiſſion from the *Perſian* Monarchs (then their Soveraigns) ſo to do, albeit they were not free Subjects but Vaſſals, and one of them the Menial Servant of *Artaxerxes*, then by Conqueſt King of *Judah* alſo. Nor hath this Doctrine or Practice been deemed ſeditious or unwarrantable by the Princes that have ſat upon the *Engliſh* Throne, but juſtified and defended by Queen *Elizabeth* of Bleſſed Memory, with the expence of much Treaſure, and Noble Blood, in the United Provinces of the *Netherlands*, combined not only without, but againſt the unjuſt violence of *Philip* of *Spain*. King *James* followed her ſteps ſo far as to approve their Union and enter into a League with them as free States; which

19 *Caroli.*

which is continued by his Majeſty now reigning unto this day, who both by his expedition for relief of *Rochel* in *France*, and his ſtrict Confederacy with the Prince of *Orange*, and the States General, notwithſtanding all the importunity of *Spain* to the contrary, hath ſet to his Seal, That all that had been done by his Royal Anceſtors, in maintenance of thoſe who had ſo engaged and combined themſelves, was juſt and warrantable.

And what had become of the Religion, Laws, and Liberties of our Siſter-Nation of *Scotland*, had they not entered into ſuch a Solemn League and Covenant at the beginning of the late Troubles there? which courſe however it was at firſt, by the Popiſh and Prelatick Projectors, repreſented to his Majeſty as an offence of the higheſt Nature, juſtly deſerving chaſtiſement by the fury of a puiſſant Army: Yet when the matter came afterwards in cool Blood to be debated, firſt by Commiſſioners of both Kingdoms, and then in open Parliament here (when all thoſe of either Houſe, who are now engaged at *Oxford*, were preſent in Parliament, and gave their Votes therein) it was found, adjudged, and declared by the King in Parliament, That our dear Brethren of *Scotland* had done nothing, but what became Loyal and Obedient Subjects, and were thereupon by Act of Parliament publickly righted in all the Churches of this Kingdom, where they had been defamed.

Therefore however ſome Men hood-wink'd and blinded by the artifices of thoſe Jeſuitical Engineers, who have long conſpired to ſacrifice our Religion to the Idolatry of *Rome*, our Laws, Liberties and Perſons to Arbitrary Slavery, and our Eſtates to their Inſatiable Avarice, may poſſibly be deterred and amuſed, with high Threats and Declarations, flying up and down, on the Wings of the Royal Name and Countenance, (now captivated and proſtituted to ſerve all their Luſts) to Proclaim all Rebels and Traitors who take this Covenant: Yet let no Faithful *Engliſh* Heart be afraid to join with our Brethren of all the three Kingdoms in this Solemn League, as ſometimes the Men of *Iſrael* (although under another King) did with the Men of *Judah*, at the Invitation of *Hezekiah*. 2 Chron. 30.

What though thoſe Tongues, ſet on Fire by Hell, do rail and threaten? That God who was pleaſed to clear up the Innocency of *Mordecai* and the *Jews*, againſt all the Malicious Aſperſions of Wicked *Haman* to his and their Sovereign, ſo as all his Plotting produced but this Effect, That, when the King's Commandment and Decree drew near to be put in Execution, and the Enemies of the *Jews* hoped to have power over them, it was turned to the contrary, and the *Jews* had Rule over them that hated them, and laid Hands on ſuch as ſought their hurt, ſo as no Man could withſtand them: And that ſame God, who but even as yeſterday, vouchſafed to diſperſe and ſcatter thoſe dark Clouds and Fogs, which overſhadowed that Loyal and Religious Kingdom of *Scotland*, and to make their Righteouſneſs to ſhine as clear as the Sun at Noon Day, in the very Eyes of their greateſt Enemies, will doubtleſly ſtand by all thoſe, who with ſingleneſs of Heart, and a due ſenſe of their own Sins, and a neceſſity of Reformation, ſhall now enter into an everlaſting Covenant with the Lord, never to be forgotten, to put an end to all thoſe Unhappy and Unnatural Breaches, between the King and ſuch as are Faithful in the Land; cauſing their Righteouſneſs and Praiſe to ſpring forth before all the Nations, to the Terrour and Confuſion of thoſe Men of Blood, the Confederate Enemies of God and the King, who have long combined, and have now raked together the Dregs and Scum of many Kingdoms, to bury all the Glory, Honour, and Liberty of this Nation in the Eternal Grave of Diſhonour and Deſtruction. Eſth. 9.

Die Veneris, Feb. 9. 1643.

AN Exhortation touching the taking of the Solemn League and Covenant, and for ſatisfying of ſuch Scruples as may ariſe in the taking of it, was this Day read the Firſt and Second time; and, by Vote upon the Queſtion, aſſented to, and ordered to be forthwith Printed.

H. Elſynge Cler. Parl. Dom. Com.

An. 1643.

A Solemn League and Covenant for Reformation and Defence of Religion, the Honour and Happineſs of the King, and the Peace and Safety of the Three Kingdoms of England, Scotland, *and* Ireland.

The Solemn League and Covenant.

WE Noblemen, Barons, Knights, Gentlemen, Citizens, Burgeſſes, Miniſters of the Goſpel, and Commons of all ſorts in the Kingdoms of *England*, *Scotland*, and *Ireland*, by the Providence of God living under one King, and being of one Reformed Religion; having before our eyes the Glory of God, and the Advancement of the Kingdom of our Lord and Saviour Jeſus Chriſt, the Honour and Happineſs of the King's Majeſty and his Poſterity, and the true publick Liberty, Safety and Peace of the Kingdoms, wherein every ones private Condition is included; and calling to mind the treacherous and bloody Plots, Conſpiracies, Attempts and Practices of the Enemies of God, againſt the true Religion, and Profeſſors thereof in all places, eſpecially in theſe Three Kingdoms, ever ſince the Reformation of Religion; and how much their rage, power and preſumption are of late, and at this time increaſed and exerciſed, whereof the deplorable eſtate of the Church and Kingdom of *Ireland*, the diſtreſſed Eſtate of the Church and Kingdom of *England*, and the dangerous Eſtate of the Church and Kingdom of *Scotland*, are preſent and publick Teſtimonies: We have (now at laſt) after other means of Supplication, Remonſtrance, Proteſtations, and Sufferings, for the preſervation of our ſelves and our Religion from utter Ruine and Deſtruction, according to the commendable practice of theſe Kingdoms in former times, and the Example of God's people in other Nations, after mature deliberation, reſolved and determined to enter into a Mutual and Solemn League and Covenant, wherein we all ſubſcribe, and each one of us for himſelf, with our hands lifted up to the moſt high God, do ſwear,

I.

That we ſhall ſincerely, really and conſtantly, through the Grace of God, endeavour in our ſeveral Places and Callings, the Preſervation of the Reformed Religion in the Church of *Scotland*, in Doctrine, Worſhip, Diſcipline and Government, againſt our Common Enemies; the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worſhip, Diſcipline and Government, according to the Word of God, and the Example of the beſt Reformed Churches; and we ſhall endeavour to bring the Churches of God in the Three Kingdoms to the neareſt Conjunction and Uniformity in Religion, Confeſſing of Faith, Form of Church-Government, Directory for Worſhip and Catechiſing, that We, and our Poſterity after us, may, as Brethren, live in Faith and Love, and the Lord may delight to dwell in the midſt of us.

II.

That we ſhall in like manner, without reſpect of perſons, endeavour the Extirpation of Popery, Prelacy, (that is, Church-Government by Archbiſhops, Biſhops, their Chancellors and Commiſſaries, Deans, Deans and Chapters, Archdeacons, and all other Eccleſiaſtical Officers depending on that Hierarchy), Superſtition, Hereſie, Schiſm, Profaneneſs, and whatſoever ſhall be found to be contrary to ſound Doctrine and the power of Godlineſs, leſt we partake in other mens Sins, and thereby be in danger to receive of their Plagues; and that the Lord may be One, and his Name One in the Three Kingdoms.

III.

We ſhall with the ſame ſincerity, reality, and conſtancy, in our ſeveral Vocations, endeavour with our Eſtates and Lives, mutually to preſerve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdoms, and to preſerve and defend the King's Majeſty's Perſon and Authority, in the Preſervation and Defence of the True Religion, and Liberties of the Kingdoms, that the World may bear witneſs with our Conſciences of our Loyalty, and that we have no thoughts or intentions to diminiſh His Majeſty's juſt Power and Greatneſs.

IV. We

19 *Caroli.*

IV.

We ſhall alſo with all faithfulneſs endeavour the diſcovery of all ſuch as have been, or ſhall be Incendiaries, Malignants, or evil Inſtruments, by hindring the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any Faction or Parties amongſt the people, contrary to the League and Covenant, that they may be brought to publick Trial, and receive condign puniſhment, as the degree of their Offences ſhall require or deſerve, or the Supreme Judicatories of both Kingdoms reſpectively, or others having power from them for that effect, ſhall judge convenient.

V.

And whereas the happineſs of a bleſſed Peace between theſe Kingdoms, denied in former times to our Progenitors, is by the good Providence of God granted unto us, and hath been lately concluded, and ſettled by both Parliaments: We ſhall each one of us, according to our places and intereſt, endeavour that they may remain conjoined in a firm Peace and Union to all Poſterity, and that Juſtice may be done upon the wilful Oppoſers thereof, in manner expreſſed in the precedent Articles.

VI.

We ſhall alſo, according to our Places and Callings, in this Common Cauſe of Religion, Liberty, and Peace of the Kingdom, aſſiſt and defend all thoſe that enter into this League and Covenant, in the maintaining and purſuing thereof, and ſhall not ſuffer our ſelves, directly or indirectly, by whatſoever Combination, Perſwaſion, or Terror, to be divided and withdrawn from this bleſſed Union and Conjunction, whether to make defection to the contrary part, or give our ſelves to a deteſtable Indifferency or Neutrality in this Cauſe, which ſo much concerneth the Glory of God, the Good of the Kingdoms, and the Honour of the King: but ſhall all the days of our lives zealouſly and conſtantly continue therein, againſt all oppoſition, and promote the ſame according to our power, againſt all letts and impediments whatſoever; and what we are not able our ſelves to ſuppreſs or overcome, we ſhall reveal and make known, that it may be timely prevented or removed: All which we ſhall do as in the ſight of God.

And becauſe theſe Kingdoms are guilty of many ſins and provocations againſt God, and his Son Jeſus Chriſt, as is too manifeſt by our preſent Diſtreſſes and Dangers, the fruits thereof: We profeſs and declare, before God and the World, our unfeigned deſire to be humbled for our own ſins, and for the ſins of theſe Kingdoms; eſpecially, that we have not as we ought valued the ineſtimable benefit of the Goſpel; that we have not laboured for the Purity and Power thereof; and that we have not endeavoured to receive Chriſt in our hearts, nor to walk worthy of him in our lives, which are the cauſes of other ſins and tranſgreſſions, ſo much abounding amongſt us, and our true and unfeigned purpoſe, deſire, and endeavour, for our ſelves, and all others under our Power and Charge, both in publick and in private, in all Duties we owe to God and Man, to amend our lives, and each one to go before another in the example of a real Reformation, that the Lord may turn away his wrath, and heavy indignation, and eſtabliſh theſe Churches and Kingdoms in Truth and Peace. And this Covenant we make in the preſence of Almighty God, the Searcher of all hearts, with a true intention to perform the ſame, as we ſhall anſwer at that Great Day, when the ſecrets of all hearts ſhall be diſcloſed: moſt humbly beſeeching the Lord to ſtrengthen us by his holy Spirit for this end, and to bleſs our deſires and proceedings with ſuch ſucceſs, as may be a Deliverance and Safety to his People, and encouragement to the Chriſtian Churches groaning under, or in danger of the Yoak of Antichriſtian Tyranny, to join in the ſame or like Aſſociation and Covenant, to the Glory of God, the enlargement of the Kingdom of Jeſus Chriſt, and the Peace and Tranquility of Chriſtian Kingdoms and Commonwealths.

The

An. 1643.

Names of thoſe that took the *Covenant*, *Sept.* 22.

The Names of the Commons *that took the Covenant at the time aforeſaid.*

Will. Lenthal, Speaker
Beauchamp Saint John
Gilbert Gerrard
Walter Earl
James Cambell
Thomas Cheeke
Robert Nicholas
Benjamin Rudyard
Edward Maſter
John White
Anthony Stapley
Dennis Bond
Laurence Whitaker
Michael Noble
Pere. Hoby
Richard Barwis
John Gurdon
Robert Harley
Francis Knollys
John Pyne
George Searle
Henry Vane ſenior
Nevil Poole
John Yonge
Henry Herbert
Thomas Sandis
William Jeſſop
Philip L. *Herbert*
Thomas Barrington
Martin Lumley
John Trevor
Francis Godolphin
Thomas Arundel
Edward Stephens
Gilbert Pykering
John Creve
Edward Baynton
William Cawley
John Moyle
Oliver Cromwell
Henry Vane junior
William Cage
Richard Eriſey
Philip L. *Liſle*
William Heveningham
Iſaac Penington
Richard Creſheld
Thomas Pelham
Thomas Parker
John Leigh
John Harris
Auguſtine Skinner
John Venn
William Strickland
John Franklin
Samuel Browne
Robert Scawen
Roger Hill
John Button
John Meyrick
Ambroſe Browne
Richard Wynn
Edward Owner
Charles Pym
Charles L. *Cranborne*
Ben. Weſton
Dudley North
John Nut
Jo. Corbet
Roger Burgoyne
Peter Temple
Benjamin Valentine
Thomas Walſingham
Oliver Luke
William Alenſon
Humphrey Salwey
Richard More
William Aſhurſt
Thomas Moore
Thomas Fountayne
William Ellys
Henry Shelley
Richard Shuttleworth
Henry Ludlow
George Gallopp
Robert Gallopp
Arthur Haſelrig
Oliver Saint John
Thomas Grantham
Francis Barneham
William L. *Fitzwilliams*
Edmund Punch
Henry Mildmay
Hugh Rogers
Thomas Hatcher
John Wray
Simon D'Ewes
Anthony Bedingfield
John Aſhe
William L. *Munſon*
Martyn Liſter
Robert Goodwyn
Edward Thomas
Henry Lucas
Miles Corbet
Philip Smith
Cornelius Holland
William Spurſtowe
John Lowry
Peter Wentworth
Henry Cholmely
Philip Stapleton
William Pierrepont
Roger North
Alexander Popham
Thomas Hodges
John Maynard

Samuel

19 Caroli.

Samuel Vaſſal
Anthony Irby
John Clotworthy
John Broxolme
Richard Fervoyſe
John Blakeſton
Walter Longe
John Rolle
Robert Jenner
John Waddon
William Maſham
John Liſle
Edmund Fowell
Edward Aſhe
Thomas Pury
Richard Whitehead
Richard Jenyns
Humphrey Tufton
Thomas Dacres
Thomas Erle
John Downes
John Goodwyn
Francis Drake
William Waller
Samuel Luke
Francis Buller
Richard Harman
George Buller
Arthur Onſlowe
Richard Wynwood
Robert Pye
Henry L. Grey of Ruthin
Richard Knightley
John Pym
Chriſtopher Yelverton
Anthony Nicoll
Peter North
Robert Reynolds
Nathanael Barnardiſton
Henry Heyman
William Purefoy
Valentine Walton
Michael Oldeſworth
William Weler
Hall Ravenſcroft
Thomas L. Grey of Groby
Thomas Middleton
Edward Hungerford
Chriſtopher Wrey
Richard Lee
Herbert Morley
Thomas Lane
Robert Cecil
William Bell
Thomas Some
Herbottle Grimſton
Symon Snowe
John Naſh
Herbottle Grimſton
Ralph Aſheton
Edward Ayſcoghe
John Wilde
John Trenchard
Thomas Jervoyſe
Richard Browne
William Playters
Nathanael Stephens
Richard Roſe
Francis Rouſe
Gilbert Millington
Walter Young
John Browne
John Hippiſley
Edward Poole
Henry Pelham
William Hay
John Driden
Nathanael Fyennes
William Lewis
Giles Green
William Lytton
John Hervey
Edward Dowce
William Strode
Edmund Prideaux
Thomas Hoyle
Edward Exton
Francis Popham
Zouch Tate
John Curſon
Alexander Bence
Squire Bence
John Selden
John Glynn
Richard Onſlowe
John Coke
Thomas L. Wenman
Bulſtrode Whitlock
George Mountague
Edward Partheriche
Henry Campion
William Whitaker
Denzil Holles
Edward Wingate
James Fenys
Poynings Moore
Edward Biſſe junior
William Jephſon
Edward Mountague
Norton Knatchbull
Thomas Eden.

By

An. 1643.

By the KING.

His Majeſty's Proclamation againſt taking the *Covenant*, *Octob.* 9. 1643.

WHereas there is a printed Paper, entituled, *A Solemn League and Covenant for Reformation and Defence of Religion, the Honour and Happineſs of the King, and the Peace and Safety of the Three Kingdoms of* England, Scotland, *and* Ireland; pretended to be ordered by the Commons in Parliament on the 21ſt day of *September* laſt, to be Printed and Publiſhed: Which Covenant, tho it ſeems to make ſpecious expreſſions of Piety and Religion, is in truth nothing elſe but a Traiterous and Seditious Combination againſt Us, and the eſtabliſhed Religion and Laws of this Kingdom, in purſuance of a Traiterous Deſign and Endeavour to bring in Foreign Force to invade this Kingdom. We do therefore ſtraitly charge and command all Our loving Subjects, of what Degree or Quality ſoever, upon their Allegiance, That they preſume not to take the ſaid Seditious and Traiterous Covenant. And We do likewiſe hereby forbid and inhibit all Our Subjects to impoſe, adminiſter, or tender the ſaid Covenant, as they and every of them will anſwer the contrary at their utmoſt and extremeſt perils.

Given at Our Court at Oxford, *this Ninth day of* October, *in the Nineteenth Year of Our Reign.*

A Conſult about ſeizing *Berwick* for the King.

Hamilton, *Roxburgh*, and the reſt of the Lords that adhered to the King in *Scotland*, ſeeing themſelves out-voted, conſulted of ſome means of Force; and thereupon, about the end of *Auguſt*, ſent one *Neal* to the Marqueſs of *Newcaſtle*, to ſend them ſuch Arms and Ammunition as could be ſpared out of the King's Magazines then in his hands, and withal deſiring him to ſeize on *Berwick*, at that time without a Garriſon, that the ſame might ſerve them for a place to bring what Forces they could raiſe, unto: But my Lord *Newcaſtle* ſent word back, That for Arms or Ammunition he had none to ſpare; And as for *Berwick*, he could not ſeize on it, without hazarding the Ruine of Himſelf and his Poſterity, as being contrary to the late Treaty of the Two Kingdoms, ratified in Parliament. And about the middle of *September*, the Parliament of *England* ſent down ſome Ships to *Berwick*, and by the concurrence of the *Scots*, put into that Town a Garriſon.

That *Town* garriſon'd by the Parliament.

The ſame day the Draught of the Covenant was ſent from *Edinburgh* to *England*, there was this following Proclamation ſet forth, to put that Kingdom into a poſture of Defence.

A Proclamation proclaimed throughout the Kingdom of Scotland, Auguſt 18. 1643. *for all perſons from Sixteen to Sixty Years Old, to appear in Arms.*

CHARLES, *by the Grace of God, King of* Great Britain, France, *and* Ireland, *Defender of the Faith: To our Lovits, Meſſengers, or Sheriffs in that part conjunctly and ſeverally ſpecially conſtitute, Greeting.*

FOraſmeickle as the Eſtates of the Kingdom of *Scotland* preſently convened, taking into their moſt ſerious conſideration the great and imminent Danger of the True Proteſtant Reformed Religion, and of the Peace of thir Our Kingdoms from Malignants and their Adherents; have, after mature deliberation, thought expedient to enter into a ſolemn and mutual Covenant with Our Bretbren of the Kingdom

19 *Caroli.*

Kingdom of *England*, for the defence of the True Proteſtant Reformed Religion in the Kirk of *Scotland*, and the Reformation of Religion in the Kirk of *England* according to the Word of God, and the Example of the beſt Reformed Kirks;

And ſuch as may bring the Kirk of God in both Kingdoms to the neareſt Conjunction and Uniformity in Religion and Church-Government. And ſiclicke to preſerve and defend the Rights and Privileges of Our Parliaments, and Liberties of Our Kingdoms reſpective; and to preſerve and defend Our Perſon and Authority, in the preſervation of the ſaid True Religion, and Liberties of Our ſaid Kingdoms;

And to obſerve the Articles of the late Treaty and Peace betwixt the two Nations; And to aſſiſt and defend all that ſhall enter into this Covenant, in the maintaining and purſuing thereof, as the ſame more fully proports.

Which as it will be a comfort and encouragement to all Chriſtians who fear God, and love true Religion; to all good loyal Subjects, who truly honour Us; and to all true Patriots, who tender the Liberty of their Countrey:

So doubtleſs it will exaſperate and enrage the ſaid Papiſts, Prelates, Malignants, and their Adherents, to practiſe and execute all the Miſchief and Cruelty they can againſt Kirk and Kingdom, as they have done in Our Kingdoms of *England* and *Ireland*.

For preventing thereof, the Eſtates of this Our Kingdom (according to the practice of Our Council, Convention of Our Eſtates, and of Our Parliaments in former times of the like Exigence) have reſolved to put this Our ſaid Kingdom with all poſſible ſpeed in a preſent poſture of Defence.

And for the better Safety and Security thereof, have Statute and Ordained, and hereby Statutes and Ordains, That immediately after publication hereof, all the Fencible perſons within this Our Kingdom of *Scotland*, betwixt Sixty and Sixteen years of Age, of whatſoever Quality, Rank or Degree, ſhall provide themſelves with forty days Proviſion, and with Ammunition, Arms, and other warlike Proviſion of all ſorts, in the moſt ſubſtantial manner, for Horſe and Foot, with Tents, and all other Furniſhing requiſite.

And that the Horſe-men be armed with Piſtols, broad Swords, and Steel-Caps:

And where theſe Arms cannot be had, that they provide Jacks, or Secrets, Lances, and Steel-Bonnets.

And that the Foot-men be armed with Musket and Sword, or Pike and Sword; And where theſe cannot be had, that they be furniſhed with Halberts, Loquhaber-Axes, or Jeddart Staves, and Swords.

OUR WILL IS THEREFORE, and We charge you ſtraitly, and command, That incontinent thir Our Letters ſeen, you paſs to the Mercat-Croſs at *Edinburgh*, and ſeveral Burroughs of this Our Kingdom, and Pariſh-Kirks thereof, and there by open Proclamation make publication hereof, whereſthrough none pretend ignorance of the ſame.

And that you command and charge all and ſundry Our Subjects foreſaid, being Fencible perſons, betwixt Sixty and Sixteen years, to provide themſelves in manner foreſaid, and to be in readineſs to make their Rendezvouz thus Armed, at the places to be appointed by our ſaid Eſtates, or Committees having power from them, within eight and forty hours after they ſhall be lawfully warned from them to that effect, as they will teſtifie their affections to the True Proteſtant Religion, the Liberties of Our Kingdoms, Our own Honour, and the Peace and Safety of that their Native Countrey; and under the pain to be eſteemed and puniſhed as Enemies to Religion, Us, and Our Kingdoms, and their whole Goods to be confiſcate to the Uſe of the Publick.

Given under Our Signet at Edinburgh, *the Eighteenth of* Auguſt, *and of Our Reign the Nineteenth Year*, 1643.

Per Actum Dominorum Conventionis.
Arch. Primroſe, *Cler. Conven.*

The King was much incenſed at this Proclamation, as appears by this Letter to the Council on that occaſion.

An. 1643.

The King's Letter againſt the ſaid Declaration. *Sept.* 26.

CHARLES R.

RIght Truſty and Right Well-beloved Couſins and Councellors, and Truſty and Well-beloved Councellors, We greet you well. Whereas We were graciouſly pleaſed to condeſcend that this preſent Meeting in Our Kingdom of *Scotland* of Our Nobility there, and the Commiſſioners for Shires and Boroughs, ſhould reſolve and conclude of ſuch particular Affairs as We ſpecified and allowed to them for the Security and Good of that Our Kingdom, in Our late Letters to them, dated the 10th of *June* laſt. And foraſmuch as we have, to Our great amazement, newly ſeen a Paper in form of a Proclamation, Precept or Warrant, in Our Royal Name, dated at *Edinburgh* the 18th of *Auguſt*, ſubſcribed, *Per Actum Dominorum Conventionis*; *Arch. Primroſe*, *Cler. Conven.* Being a Paper moſt impudently ſet forth without Our privity, or any Authority from Us, and tending to caſt our beloved people of that Our Native Kingdom into the like and more bloody Combuſtions, and rebellious Violation of their Religion and Allegiance to Us, and the Laws of that Our (hitherto) peaceful Native Kingdom, as hath been here practiſed by the malicious Enemies of Peace and Government. We have therefore, upon good deliberation, and out of Our Princely and Gracious Care of Our People, and of the Tranquility of that Our Native Kingdom, (as it was ſo lately and well ſettled by Our Self) thought fit to declare, and We do hereby declare unto you, That We utterly diſlike and diſallow it, forbidding all Our Subjects to obey the ſame, and all other Papers publiſhed in Our Name, which ſhall not immediately be warranted by Us. And We do hereby Will and Command you forthwith openly to publiſh theſe Our Letters, to let all Our people underſtand Our pleaſure herein. And laſtly, Our Pleaſure and Command is, That you cauſe theſe Our Letters to be forthwith recorded in the Books of Our Privy-Council of that Our Native Kingdom. For all which, theſe Our ſaid Letters ſhall be your ſufficient Warrants. *Given at Our Court at* Oxford, *the Twenty-ſixth day of* September, *in the Nineteenth Year of Our Reign*, 1643.

The Committee of Eſtates in *Scotland*, by their Printed Act of the 22d of *October*, ordain'd the Covenant to be ſworn and ſubſcribed by all Subjects, under the pain of being puniſhed as Enemies to Religion, His Majeſty's Honour, and the Peace of theſe Kingdoms, and to have their Goods and Rents confiſcated, and they not to enjoy any Benefit or Office within the Kingdom, and to be cited to the next Parliament as Enemies to Religion, King, and Kingdom, and to receive what further puniſhment His Majeſty and the Parliament ſhould inflict. About the end of *October*, the ſaid Committee of Eſtates ſummon'd all the Lords of the Council to appear the ſecond of *November* to take the Covenant; which Duke *Hamilton* and ſome other Lords refuſing, the ſaid Committee, by another Act of the 17th of *November*, appointed all their Goods to be ſeized on, their Rents gathered up, and their Perſons to be apprehended, with power to kill them if they made Reſiſtance. Hereupon *Hamilton* and his Brother *Lanerick* left *Scotland*, and came to the Court at *Oxford*, where (ſome ill Offices having been done them, by miſrepreſenting their Services, becauſe they were unſucceſsful) they were no ſooner arriv'd, but, without being ſuffered to be admitted into the King's Preſence, they were committed to Priſon, and *Hamilton* kept a cloſe Priſoner, and very ſeverely uſed; certain Articles being exhibited againſt him, to which he drew up a large and particular Anſwer, (which you may read in Dr. *Burnet's* Memoirs of his Life, fol. 253.) but without ever being brought to any Hearing or Trial, he was ſent firſt to *Pendennis*-Caſtle, and thence removed to the Caſtle of St. *Michaels Mount* in *Cornwall*, where he continued a Priſoner till the end of *April*, 1646. when ſome of the Parliaments Forces brought that Caſtle to a Surrender, and ſo he obtain'd his Liberty;

berty; but his Brother *Lanerick*, to prevent ſuch a tedious durance, made his Eſcape at *Oxford*. 19 *Caroli.*

In the Interim the Treaty between the Parliament of *England* and the *Scots* was carried on very ſmoothly; and Commiſſioners ſent back to *Scotland* with the Articles of Accord; and 50000 *l.* Advance Money arrived at *Edinburgh*, *Nov.* 21. and on the 29th. of the ſame Month, the Treaty between them was fully cloſed: The Articles being as followeth.

Articles of the Treaty *agreed upon betwixt the* Commiſſioners *of both Houſes of the Parliament of* England, *having Power and Commiſſion from the ſaid Honourable Houſes, and the Commiſſioners of* The Convention of the Eſtates of the Kingdom of *Scotland, Authorized by the Committee of the ſaid Eſtates, concerning the* Solemn League and Covenant, *and the* Aſſiſtance *demanded in purſuance of the Ends expreſſed in the ſame.*

Articles between the Parliament and the *Scots* touching their Advance into *England*, *Nov.* 29.

WHereas the Two Houſes of the Parliament of *England*, out of Juſt and Deep Sence of the Great and Imminent Danger of the true *Proteſtant Religion*, in regard of the great Forces of Papiſts, Prelates, Malignants, and their Adherents, raiſed and employed againſt the conſtant Profeſſors thereof in *England* and *Ireland*, thought fit to ſend their Commiſſioners unto the Kingdom of *Scotland*, to Treat with the Convention of Eſtates and General Aſſembly there, concerning ſuch things as might tend to the preſervation of Religion, and the mutual good of both Nations. And to that end, to deſire a more near and ſtrict Union betwixt the two Kingdoms: And the Aſſiſtance of the Kingdomof *Scotland*, by a conſiderable Strength to be raiſed and ſent by them into the Kingdom of *England*. And whereas upon a Conſultation held betwixt the Commiſſioners of the Parliament of *England*, and the Committees of the Convention of Eſtates and General Aſſembly, no means was thought ſo expedient to accompliſh and ſtrengthen the Union, as for both Nations to enter into a *Solemn League and Covenant*, and a Form thereof to be drawn and preſented to the Two Houſes of Parliament of *England*, the Convention of Eſtates, and General Aſſembly of *Scotland*; which hath accordingly been done, and received their approbation. And whereas the particulars, concerning the Aſſiſtance deſired by the Two Houſes of the Parliament of *England*, from their Brethren of *Scotland*, were delivered in by the *Engliſh* Commiſſioners, *Auguſt* 19. to the *Convention of Eſtates*; who did thereupon give Power to their Committee to Conſider and Debate farther with the *Engliſh* Commiſſioners, of what other Propoſitions might be added, or concluded; whereby the Aſſiſtance deſired might be made more effectual and beneficial. And in purſuance thereof, theſe Propoſitions following were conſidered of, and debated by the Committee and Commiſſioners aforeſaid, to be certified with all convenient ſpeed, to the *Two Houſes of the Parliament of* England, and the *Convention of Eſtates of* Scotland, by their reſpective Committees and Commiſſioners, to be reſpectively taken into their Conſideration, and proceeded with as they ſhall find Cauſe: Which being accordingly done, and theſe enſuing Propoſitions approved, agreed and concluded of by the Two Houſes of the Parliament of *England*, and the Committee of the Eſtates of *Scotland* reſpectively, and Power by them given to their reſpective Committees and Commiſſioners, to agree and conclude the ſame, as may appear by the Votes of both Houſes, dated the Firſt of *November*, and the Order of the Committee bearing date the 17th of *November*. We the ſaid Commiſſioners and Committees, according to their Votes and Orders, do formally conclude and agree upon theſe Articles following; and, in confirmation thereof, do mutually ſubſcribe the ſame.

An. 1643.

1. It is agreed and concluded, That the Covenant repreſented to the Convention of Eſtates and General Aſſembly of *Scotland*, and ſent to both Houſes of the Parliament of *England*, in the ſame Form as it is now returned from the Two Houſes of the Parliament of *England* to their Brethren of *Scotland*, and allowed by the Committee of Eſtates and Commiſſioners of the General Aſſembly, be ſworn and ſubſcribed by both Kingdoms, as a moſt near Tye and Conjunction between them, for their mutual defence againſt the Papiſts and Prelatical Faction, and their Adherents in both Kingdoms, and for purſuance of the Ends expreſſed in the ſaid Covenant.

2. That an Army to this purpoſe ſhall be levyed forthwith, conſiſting of *eighteen thouſand* Foot effective, and *two thouſand* Horſe, and *one thouſand* Dragoons effective, with a ſuitable Train of *Artillery*, to be ready at ſome General Rendezvouz, near the Borders of *England*, to March into *England* for the purpoſes aforeſaid, with all convenient ſpeed; the ſaid Foot and Horſe to be well and compleatly Armed, and provided with Victuals and Pay for *Forty Days*: And the ſaid Train of Artillery to be fitted in all points ready to March.

3. That the Army be commanded by a General appointed by the Eſtates of *Scotland*, and ſubject to ſuch Reſolutions and Directions as are and ſhall be agreed, and concluded on mutually between the two Kingdoms, or by Committees appointed by them in that behalf, for purſuance of the Ends before-mentioned.

4. That the charge of levying, arming, and bringing the ſaid Forces together furniſhed, as alſo the fitting the Train of Artillery in readineſs to March, be computed and ſet down, according to the ſame Rates, as if the Kingdom of *Scotland* were to raiſe the ſaid Army for themſelves and their own Affairs: All which, for the preſent, is to be done by the Kingdom of *Scotland* upon Accompt; and the Accompt to be delivered to the Commiſſioners of the Kingdom of *England*; and when the Peace of the Two Kingdoms is ſettled, the ſame to be repaid, or ſatisfied, to the Kingdom of *Scotland*.

5. That this Army be likewiſe paid, as if the Kingdom of *Scotland* were to imploy the ſame for their own occaſion; and towards the defraying thereof (it not amounting to the full Months pay) ſhall be monthly allowed and paid the ſum of *thirty thouſand pounds Sterling*, by the Parliament of *England*, out of the Eſtates and Revenues of the Papiſts, Prelates, Malignants and their Adherents, or otherwiſe. And in caſe the ſaid 30000 *l.* monthly, or any part thereof, be not paid at the time, when it ſhall become due and payable, the Kingdom of *England* ſhall give *The Publick Faith* for the paying of the remainder, unpaid, with all poſſible ſpeed, allowing the rate of *eight pounds per Cent.* for the time of the performance thereof. And in caſe, that notwithſtanding the ſaid monthly ſum of 30000 *l.* paid as aforeſaid, the States and Kingdom of *Scotland* ſhall have juſt cauſe to demand *farther ſatisfaction* of their Brethren of *England*, when the Peace of both Kingdoms is ſettled, for the Pains, Hazard, and Charges they have undergone in the ſame, they ſhall by way of Brotherly Aſſiſtance have *due Recompence* made unto them by the Kingdom of *England*; and that out of ſuch Lands and Eſtates of the Papiſts, Prelates, Malignants and their Adherents, as the Two Houſes of Parliament ſhall think fit: And for the aſſurance thereof the Publick Faith of the Kingdom of *England* ſhall be given them.

6. And to the end the ſaid Army, in manner aforeſaid, may be enabled and prepared to march, the Kingdom of *England* is to pay in ready Money to their Brethren of *Scotland*, or ſuch as ſhall have Power from the Eſtates of that Kingdom, the ſum of *one hundred thouſand pounds Sterling*, at *Leith*, or *Edinburgh*, with all convenient ſpeed, by way of advance before hand; which is to be diſcounted back again unto the Kingdom of *England*, by the Kingdom of *Scotland*, upon the firſt Monthly Allowance, which ſhall grow due to the *Scottiſh* Army, from the time they ſhall make their firſt entrance into the Kingdom of *England*.

7. That the Kingdom of *Scotland*, to manifeſt their willingneſs to their utmoſt ability to be helpful to their Brethren of *England* in this *Common Cauſe*, will give the *Publick Faith* of the Kingdom of *Scotland*, to be jointly made uſe of with the *Publick Faith* of the Kingdom of *England*, for the preſent taking up *two hundred thouſand pounds Sterling* in the Kingdom of *England*, or elſewhere, for

for the ſpeedy procuring of the ſaid *hundred thouſand pounds Sterling* as aforeſaid; as alſo a conſiderable ſum for the ſatisfying, in good proportion, the Arrears of the *Scottiſh* Army in *Ireland*. 19 *Caroli.*

8. That no *Ceſſation*, nor any *Pacification* or *Agreement for Peace* whatſoever, ſhall be made by *either* Kingdom, or the Armies of *either* Kingdom, without the mutual Advice and Conſent of *both* Kingdoms, or their Committees in that behalf appointed, who are to have full Power for the ſame; in caſe the Houſes of the Parliament of *England*, or the Parliament or Convention of Eſtates of *Scotland* ſhall not ſit.

9. That the Publick Faith of the Kingdom of *Scotland* ſhall be given to their Brethren of *England*, that neither their entrance into, nor their continuance in the Kingdom of *England*, ſhall be made uſe of to any *other ends* than are expreſſed in the Covenant, and in the Articles of this Treaty; and that all matters of difference, that ſhall happen to ariſe between the Subjects of the two Nations, ſhall be reſolved and determined by the mutual advice and conſent of both Kingdoms, or by ſuch Committees as for this purpoſe ſhall be by them appointed, with the ſame power, as in the precedent Article.

10. That in the ſame manner, and upon the ſame Conditions, as the Kingdom of *Scotland* is now willing to aid and aſſiſt their Brethren of *England*, the Kingdom of *England* doth oblige themſelves to aid and aſſiſt the Kingdom of *Scotland*, in the ſame or like caſes of Streights and Extremities.

11. Laſtly, It is agreed and concluded, That during the time that the *Scottiſh* Army ſhall be imployed as aforeſaid, for the defence of the Kingdom of *Scotland* there ſhall be fitted out, as Men of War, *Eight Ships*, whereof ſix ſhall be of Burthen betwixt one hundred and twenty and two hundred Tun, the other between three and four hundred Tun, whereof two ſhall be in Lieu of the two Ships appointed by the *Iriſh* Treaty; all which ſhall be maintained at the charge of the Kingdom of *England*, to be imployed for the defence of the Coaſt of *Scotland*, under ſuch Commanders as the Earl of *Warwick*, for the time of his being Admiral, ſhall nominate, with the approbation of the Committees of both Kingdoms; which Commanders ſhall receive from the ſaid Earl, general Inſtructions, that they do from time to time obſerve the directions of the Committees of both Kingdoms.

The *Scots* Army being now almoſt ready to march, they ſet forth the following *Manifeſto*, entituled,

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A ſhort Declaration of the Kingdom of Scotland.

The *Scots* firſt Declaration touching their intended Advance into *England*.

ALthough we have reaſon to Believe, That the Bloody and Barbarous Attempts of the Papiſts and their Faction, both in *England* and *Ireland*, and the manifold Oppreſſions and Miſeries endured by thoſe that ſtand well-affected to the Proteſtant Religion and their Country's Liberty, have made way in the Hearts of Men for the ready entertainment of Aſſiſtance, from their Brethren; whoſe earneſt deſire it is, and whoſe utmoſt endeavours it ſhall be, to preſerve and reſtore both unto them: Yet knowing how Induſtrious the Malice of the Devil and his Inſtruments are, in raiſing Prejudices and fomenting Jealouſies betwixt them, whoſe Hearts and Minds ought to be one, becauſe their Happineſs is the ſame; and particularly betwixt us and our Brethren of *England*, that by dividing us from each other, they might deſtroy us both. And that this our ſecond expedition into *England*, (which we doubt not but God will bleſs, to the Advantage of that Nation, as he did our firſt, to the Happineſs of our own,) inſtead of Wonder and Oppoſition, may find the cheerful Concurrence of all thoſe, who together with us, deſire the Preſervation and Reformation of Religion, the Honour and Happineſs of the King, the Peace and Liberty of the Kingdoms: We thought fit to Print this ſhort, but free and ingenuous Declaration, of our Grounds and Intentions in this our preſent Undertaking, that ſo we may meet with none but ſuch as we may either find peaceable or leave inexcuſable.

Whereas

An. 1643.

Whereas therefore the greateſt Queſtions, that are like to ariſe in this buſineſs, may be reduced to theſe three particulars, *viz.* the Juſtneſs of our Cauſe, the Lawfulneſs of our Calling thereto, and the Faithfulneſs of our Carriages therein: We ſhall hereby endeavour to give ſatisfaction in them all, and doubt not to do it; unleſs there remain ſome whoſe inveterate Malice hath produced in them a reſolution to be unſatisfied.

As for the *Cauſe* and Ground of this Undertaking, we are not ignorant with how much earneſtneſs the Sons of Slander and Perdition (whoſe cuſtom is to traduce thoſe Proceedings which they know not how to diſappoint) do endeavour to poſſeſs the Hearts of our Brethren, that we are coming to Fiſh in the Troubled Waters of *England*, to ſeek and take our own Advantages in the midſt of your Neceſſities: But ſuffer not your Ears, much leſs your Hearts, to be open to any ſuch Deluſions, whereof we truſt your Eyes ſhall ſhortly witneſs the falſhood; for as hereafter we doubt not to appeal to our Carriages and your Conſciences, beſides your late experience of our Religious Obſervance of our former Declarations of this kind; ſo in the mean time give us leave to Appeal to the great Searcher of Hearts, who knows, that had not the love of Chriſt, requiring Chriſtians to bear one anothers Burdens; and the Law of Nature, challenging our utmoſt Care and Endeavour, for the prevention of our own Danger and Ruine, which an ordinary Underſtanding will eaſily ſee to be wrap'd up in our Neighbours; and our Duty, and deſire of reſcuing the King from the Dangers wherein he is involved, by the Company and pernicious Counſel of thoſe who are Enemies to Religion, His Majeſty's Happineſs and Peace of his Dominions, called and compelled us to this Service; We could with far more content and ſatisfaction to our ſelves, have enjoyed with quietneſs our *dry Morſel*, than entred into your Houſes *full of Sacrifices, with Strife*; which yet ſince we are required and neceſſitated to, by that juſt Calling, hereafter to be mentioned, we profeſs before God and the World, that our Thoughts and Hearts are clean and free from any other Intentions, than thoſe expreſs'd in our *Solemn League and Covenant*, in which we are Confederate with *England*, *viz.* the Preſervation and Reformation of Religion, the Honour and Happineſs of the King, and the Peace and Liberties of the Kingdoms; all which we now apprehend to be deeply endangered, by the Counſels and Confederacies of *Papiſts*, *Prelates*, *Malignants* and their Adherents, ſo prevalent in *England* and *Ireland*: And we ſhall no otherwiſe deſire *a Bleſſing* upon our Endeavours, than as they ſhall be directed to the Conſervation and Eſtabliſhment thereof.

And becauſe it is not ſufficient to be ingaged in a *Good Cauſe*, unleſs by a *Good Calling*, we do hereby farther declare, that though the inſeparable Intereſts of both Nations, in their Religion and Liberties, which having the ſame Common Enemies, muſt look to ſtand and fall together, might have given us ſufficient Warrant to have endeavoured the prevention of our own ruine, by preſerving our *Friends* and *Brethren* from deſtruction: Yet that we might be the more fully and formally obliged to this Chriſtian Duty and Service, and ſo the Mouth of Slander and Malice be ſtopped, God hath ſo ordered Things in his wiſe and juſt Providence, that the *Parliament of England*, (who beſides their Intereſt in the Preſervation and Reformation of Religion, and the defence of the Laws and Liberties of the Kingdom, (to which our help is required,) have a particular Obligation upon this Nation, (as we have formerly declared our Intentions publiſhed before our laſt Expedition,) for refuſing to countenance or maintain a War againſt us, in the year 1640.) have thought fit by their Commiſſioners enabled to that effect, to deſire a firm Union with us, and this juſt and neceſſary Aſſiſtance from us.

And whereas it is too obvious an Objection, That the King's Command or Conſent being no Ingredient, our Calling thereby is rendred deficient. We Anſwer: That though through the Injury of miſchievous Counſels, both his Perſon and Perſonal Commands are with-held from us; yet his Honour, his Happineſs, Poſterity, his *Great Council*, and the welfare of his Kingdoms, call importunately to us for this timely interpoſing; ſo that unleſs we can (which God forbid) blot out of our thoughts the ſence of Piety and Religion towards God, of Honour and Duty toward our *Soveraign*, and of Gratitude toward the Parliament and Kingdom of *England*, we can in no wiſe reſiſt our preſent Call to this Undertaking.

And

19 *Caroli.*

And Laſtly, For what concerns the manner of the purſuance of this Juſt Cauſe and Lawful Calling: Although the many fruſtrate Petitions and Remonſtrances from both Kingdoms preſented to his Majeſty, have left us only this way, which yet is not intended againſt his Majeſty's Perſon, nor any of his good Subjects; but thoſe Enemies of the King and Kingdoms, with whom no other means can prevail: Yet we ſhall diligently ſo order the Affairs of our Army, that all *Inſolencies*, *Rapines*, *Plunderings*, and thoſe other Calamities that uſually attend upon War, may be prevented; and herein as with no ſmall content to our ſelves, ſo with no leſs ſatisfaction to you, are we able to refer you to the Experience of our former *Expedition*, (when *our own* Neceſſities drove us into *England*, as now *yours* do call us,) to conſider how little damage was occaſioned by our means, how little diſorder was committed by us, in any place where we came; and we hereby promiſe the like care and diligence ſhall be renewed, and if poſſible doubled to that effect.

And that we may not be looked on with the prejudice of *Strangers*, which we hope the firm Union of this mutual *Covenant* will wear out, there is a *Committee* of your own Nation, the moſt of which are Parliament-Men, ſuch to whom you have committed the truſt and care of your Religion, Laws, and Liberties, joyned with us, without whoſe Concurrence nothing that concerns you is to be tranſacted. And to free you of all unjuſt *ſuſpicion*, (which if your Minds are not ready to conceive, yet the malicious Mouths of our Adverſaries and yours are ready to ſuggeſt,) that notwithſtanding this Declaration, we have ſome ſiniſter and ſecret Ends, which may prove prejudicial to your Rights and Happineſs, Be it hereby made known unto you, That we have freely ingaged our ſelves by an Article of the late Treaty betwixt the Nations, to give the *Publick Faith* of the Kingdom of *Scotland* unto the Kingdom of *England*, that neither our Entrance into, nor Continuance in that Kingdom, ſhall be made uſe of to any other Ends than expreſſed in the *Covenant*, and that Treaty ſubſcribed to by the Commiſſioners of both Kingdoms, which we are reſolved to the Honour of God and this Nation to keep inviolate.

And as our Friends and Brethren may look for Actions conformable to the Expreſſions of this Declaration; ſo muſt the *Malignants* and implacable Oppoſers of the Ends declared in our Covenant, expect nothing but an impartial and vigorous Proſecution of the ſame: In which, if any evil befal them, we are confident that the Judgment of wiſe and indifferent Men will reduce it to themſelves, as the wilful Authors thereof.

And, finally, we declare (againſt all falſe and artificial relations) that we are ſo far from deſiring harm, or loſs, to any of our Brethren of *England*, that our ſincere and real Intentions are not to add Fuel, nor bring *Oil*, but *Water* to extinguiſh thoſe lamentable Combuſtions and Fires, which we have with ſo much Duty and Love laboured to quench: That our taking of Arms is not to make War (if we be not neceſſitated) but to obtain a better grounded and a more durable *Peace*, for enjoying of our Religion and Liberties in all the Three Kingdoms: And that *the Wicked* (who are the unworthy Authors of all our Troubles) *being removed from our King*, a right underſtanding may be eſtabliſhed betwixt his Majeſty and his People. And as we have ſolemnly Sworn to protect and defend all who ſhall enter in, and adhere to this *Covenant*; ſo do we certainly expect, that all our Brethren in *England* who are zealous for the true Proteſtant Religion, Loyal to the King, and Faithful for their Country, will join and concur with us in the moſt Noble and Juſt Ways of procuring theſe Juſt Deſires; which being obtained, we ſhall be moſt willing and ready to return to our Native Country, eſteeming it our greateſt Happineſs, That *Truth* with *Peace* may be eſtabliſhed in all his Majeſty's Dominions.

Arch. Primroſe.

And afterwards the Convention of Eſtates publiſh'd this other Declaration.

The

An. 1643.

The Declaration of the Convention of Eſtates of the Kingdom of Scotland, *concerning the preſent Expedition into* England.

Scots Declaration touching their preſent Expedition into *England.*

IT is now, we ſuppoſe, known to the Chriſtian World, and will be known to after Ages, what have been the Dangers and Diſtreſſes of this Kirk and Kingdom, in their Religion and Liberties; what their Endeavours and Wreſtlings have been for Deliverance, and how mercifully and marvellouſly the good Hand of God did ſettle their Religion and Peace, againſt the Devices, Attempts and Practices of Papiſts, Prelates and Malignants; who, had they not been given up to incurable Blindneſs and Hardneſs of Heart, would have ſeen and acknowledged the Hand of God working againſt them, and themſelves fighting againſt God. But theſe Enemies of all righteouſneſs, full of all ſubtilty and miſchief, do not ceaſe to pervert the right ways of the Lord. Their great Project and main deſign againſt the Reformed Religion and People of God, is not altered, but continueth one and the ſame; their Fury and Malice is not abated, and their Plots and Policies are deeper, and more wicked than before; only finding their fraud fruſtrated, and their Forces beaten back upon one ſide; they have with new Stratagems, freſh Reſolutions, and greater Power, aſſaulted another part of the Wall, and have made the Breach ſo wide and large, that they have entred, and begun to roar in the midſt of the Congregations of God's People, and are ſetting up their Enſigns for Signs, which to the unſpeakable Grief of all, who are not both void of Grace, and deprived of Natural Affection, is to be ſeen this day in miſerable *Ireland*, and diſtreſſed *England*; and, unleſs it be prevented by their timous and ſpeedy Deliverance, ſhall (we know not how ſoon) be ſeen and felt in this Kingdom; where, as the Enemies did begin, ſo ſhall they end this Bloody, Barbarous, and Antichriſtian Tragedy, if the Author's be not interrupted and driven from the Stage, before they bring it to their intended Concluſion and Helliſh Applauſe.

It is, we confeſs, no ſmall comfort to this Kirk and Kingdom, that we have been willing and ready by all good means from the beginning, to quench this unnatural Fire; all who have had Place and publick Intereſt, the Lords of his Majeſty's Privy-Council, the Commiſſioners for conſerving the Peace, and the General Aſſembly of this Kirk and their Commiſſioners, having with all care and faithfulneſs applied themſelves, from time to time, to uſe all good means; ſuch as are their humble Deſires, their Supplications, Declarations and Remonſtrances to his Majeſty for a Bleſſed Pacification: And after all theſe had proved ineffectual, Commiſſioners were ſent to repreſent how much this Kirk and Kingdom, from their Intereſt in the preſervation of their own Religion, the ſafety of his Majeſty's Perſon, and their near relation to their Brethren of *England*, were concerned in the unhappy Differences, betwixt his Majeſty and the Houſes of Parliament; and in all Humillity and Tenderneſs, to make offer of their Mediation and National Interceſſion, for removing them in ſuch a way as might moſt ſerve for his Majeſty's Honour, and the good of his People: But after long attendance, much contrary to their Deſires and Hopes, and to the expectation of all his Majeſty's good Subjects in both Kingdoms (ſo prevalent were the Counſels of the Popiſh, Prelatical, and Malignant Party, apprehending their own Troubles and Miſery, in the publick Peace and Happineſs of the King and his People) the offer of their humble Service and faithful Indeavours, was utterly refuſed and rejected, upon no other reaſon, but that they had no Warrant nor Capacity for ſuch a Mediation, although authorized by a Commiſſion from his Majeſty and Parliament for that effect; and that the intermixture of the Government of the Church of *England* with the Civil Government, was ſuch a Myſtery as could not be underſtood by them; although it be true which was then often replyed, that in the Eighth Demand of the Treaty of Peace, the deſire of Uniformity in Kirk-Government was kindly entertained, and received ſuch an Anſwer, as hath been ſince a Door of Hope to this Kirk and Kingdom of obtaining their Deſires; and although the Houſes of Parliament, who are beſt acquainted with the conſtitution of that Kingdom, and whom it moſt concerneth, have paſſed their Bill, for aboliſhing of Epiſcopal Government, not only as a great Impediment to the perfect Reformation and growth of Religion (which in a Chriſtian Kingdom is a ſufficient ground) but alſo, as very prejudicial to the Civil State and Government.

The

19 *Caroli.*

The Commiſſioners having returned from *Oxford* without ſucceſs, and the Miſeries of *Ireland*, the Troubles of *England*, and the Dangers and Preſſures of this Kingdom more and more increaſing; the Lords of his Majeſty's Council, the Commiſſioners for conſerving the Peace, and the Commiſſioners for the Common Burthens, all intruſted with the Publick Affairs of the Kingdom reſpectively, found themſelves preſſed above their Place and Power, with difficulties, which required the Common Counſel, Conſent and Reſolution of the Eſtates of the Kingdom, and were neceſſitate according to the practice of former Times (his Majeſty having denied a Parliament, being ſupplicated for that effect) to call a Convention of the Eſtates, that by their Wiſdom they might conſider of the Common Duty, and provide for the Publick Safety of the Kingdom, in a time of ſuch Extremity. No ſooner did the Convention of Eſtates, which was met with more than ordinary frequency and alacrity, enter into publick Conſultation, but the good Providence of God, ſtill watching over this Country for good, did bring to their Hand a diſcovery of divers Treacherous Attempts, againſt the Kirk and Kingdom; as if the Convention had been called to receive information of the Dangers, and to provide Remedies, for the ſafety of the Publick. Like as the Dangers diſcovered unto them were made publickly known, and with the Advice of the Commiſſioners of the General Aſſembly, the Remedies alſo were agreed upon and publiſh'd in Print.

Amongſt theſe Remedies a Chief One was, To conſider of the renewing of a League and Aſſociation with *England*, for defence of Religion, and the mutual Peace of the Kingdoms againſt the Common Enemy, and how far the ſame might be extended againſt Prelacy and Popiſh Ceremonies for Uniformity in Kirk-Government, and the External Worſhip of God, as is more fully expreſſed in the Remonſtrance of the Remedies of the Dangers of Religion. But before the Convention of Eſtates had entred upon this grave conſideration, Commiſſioners came from both Houſes of the Parliament of *England*, warranted and authorized to propound their deſires of the ſame Union and ſtrait Conjunction of the two Nations, againſt Papiſts, and Prelates, with their Adherents; and to conſider with the Eſtates of this Kingdom, of ſuch Articles or Propoſitions, as might make the Aſſiſtance and Union betwixt the two Nations, more beneficial and effectual for the Common Security of Religion and Liberty. Upon the manifeſtation of this concourſe of the ſtrong Inclinations and Deſires of the Eſtates of both Kingdoms, with which the General Aſſembly, did moſt unanimouſly and heartily join their Deſires, Counſels, and Prayers, a Committee of the Convention of Eſtates, and a Committee of the General Aſſembly, were appointed to meet, with the Commiſſioners of the Houſes of Parliament, for conſidering the beſt and readieſt ways, by which theſe common Deſires and Conceptions might be ripened and brought forward toward perfection, and (if it were poſſible) to Birth and Action, for the comfort of both Kingdoms, in Religion and Peace. Theſe three Committees after ſome Meetings for Debate and Deliberation, did reſolve in the end, That, according to the commendable practice of the two Kingdoms in former times of Diſtreſs and Danger, the Example of the People of God in other Nations, in the like caſe; and the late Example of the Kirk and Kingdom of *Scotland*, the beſt and moſt effectual Means for preſerving Religion, and both Kingdoms, from utter Ruine and Deſtruction, and for procuring Peace, and all other Bleſſings, were, That both Kingdoms enter into a Solemn League and Covenant, to be Sworn and Subſcribed by his Majeſty's Subjects of all Degrees in both Kingdoms, who love the true Proteſtant, Reformed Religion, his Majeſty's Honour and Safety, and their own Happineſs: And therefore they did with common conſent agree upon the firſt Lineaments and principal Parts of a Covenant, to be offered to the view, and to be conſidered by the Wiſdom of the full Aſſembly of the Kirk, and Convention of Eſtates; which, how ſoon it was preſented unto them, and read once and again in their Audience, did ſo affect their Hearts, that the Fire which had made them to melt in Tears at the ſolemnizing of the National Covenant of this Kingdom, did begin to burn again, and bring forth the Sparkles of the like Affection; and withal did fill them with Confidence and Hope, that the Lord, inclining the Hearts of the Houſes of Parliament, and of the gracious and well-affected People of *England*, to join in this Covenant, they will thereby find an Anſwer from Heaven to all the Prayers, which they have offered up with ſtrong Crying and Tears, a Deliverance from all their Sufferings and

An. 1643. Fears, and the beginning of a new World of Joy and Peace, which the Lord will create for their comfort.

But we know on the other part, upon the Swearing and Subſcribing of this Covenant by true Chriſtians and Patriots, the Oppoſite and Malignant Party of Papiſts, Prelates, and others the Sons of Defection and Contention their Adherents, will rage and tumultuate more than ever before. And therefore, unleſs we will either betray our Religion, Liberties, and Laws, and all that we and ours do poſſeſs, into their Hands, and ſuffer our ſelves to be cut off and maſſacred by ſuch Bloody and Barbarous Cruelty, as they have executed this time paſt in *Ireland* and *England*, there is a neceſſity of taking of Arms for mutual defence, in the Cauſe of Religion, of the King's Honour, of the Liberty and Peace of the Kingdoms, and of every one of us in our own private Eſtate and Condition. In this caſe it is moſt neceſſary, that every one againſt all Doubting be perſwaded in his Mind of the Lawfulneſs of his Undertaking, and of the Goodneſs of the Cauſe maintained by him, which is no other, than the good of Religion in *England*, and the Deliverance of our Brethren out of the depths of Affliction, the preſervation of our own Religion, and of our ſelves from the extremity of Miſery, and the ſafety of our Native King, and his Kingdoms, from Deſtruction and Deſolation: Any one of which, by all Law Divine and Humane, is too juſt cauſe of taking of Arms; how much more when all of them are joined in one? Whoſoever withdraweth and hideth himſelf in ſuch a Debate and Controverſie, let him conſider, Whether he be not an Hater of his Brethren, againſt Chriſtian and common Charity; an Hater of himſelf and his Poſterity againſt the Law and Light of Nature; an Hater of the King and his Kingdoms, againſt Loyalty and common Duty; and an Hater of God againſt all Religion and Peace.

Concerning the firſt, The Queſtion is not, nor need we diſpute, whether we may propagate our Religion by Arms; but whether, according to our Power, we ought to aſſiſt our Brethren in *England*, who are calling for our help, and are ſhedding their Blood in defence of that Power, without which Religion can neither be defended nor reformed, nor unity of Religion with us, and other reformed Kirks be attained: Who have in the Cauſe of Religion, and the like Exigence aſſiſted us and other reformed Kirks; to whom, of old and of late, we have made Promiſes of the real Declarations of all Chriſtian duty and thankfulneſs; and who, upon our Deſires and their Endeavours for unity in Religion, have often warned us, that the Malignant Party would bend all their Invention and Forces to interrupt the Work, and to ruine and deſtroy them in the undertaking of it, which we ſee this day come to paſs. The Queſtion is no ſooner rightly ſtated, but it is as ſoon reſolved. The Lord ſave us from the Curſe of *Meroz*, *who came not to help the Lord, to help the Lord againſt the Mighty*; when we look upon the Cauſe which they maintain, the Prayers, Tears, and Blood which they have poured forth, and the Inſolencies and Blaſphemies of the Enemies, we cannot doubt, but Enlargement and Deliverance ſhall ariſe unto *England*; but we have reaſon to fear, if we, upon ſo fair a Calling, ſit ſtill and hold our Peace, this Kirk and Kingdom ſhall periſh by the hand of the ſame Enemy, and there ſhall be none to deliver us: And who knows, whether the Lord hath granted us Mercy, furniſhed us with Men of War, put Weapons in our Hands, and called this great Council of the Eſtates, for Warrant and Direction for ſuch a time as this? God forbid, and be it far from us to ſit down at eaſe (if we may promiſe to our ſelves eaſe) on this ſide of *Jordan*, till our Brethren be poſſeſſed in the Liberties of the Kingdom of Chriſt.

Neither concerning the ſecond, Is the Queſtion (as our Enemies would make it) whether we ſhall enter into *England*, and lift Arms againſt our own King, who hath promiſed and done as much as may ſecure us in our Religion and Liberties; but whether againſt the Popiſh, Prelatical, and Malignant Party their Adherents, prevailing in *England* and *Ireland*, we be not bound to provide for our own preſervation. Although it had not been often told us from *England*, and the Reformed Kirks in other places, we might of our ſelves have known from our continual experience, ever ſince the time of our firſt Reformation, eſpecially after the two Kingdoms have been united under one Head and Monarch, from the Principles of our own Declarations, in the time of our late Troubles, and Dangers, from the vindictive diſpoſition of the Enemies of this Kirk and Kingdom (which they conceive to be the Fountain whence have iſſued all theſe Evils) and

from

from the grounds of common Reaſon, That we cannot long like *Goſhen*, enjoy our Light, if Darkneſs ſhall cover the Face of other Reformed Kirks? That *Judah* cannot long continue in Liberty, if *Iſrael* be led away in Captivity, and that the condition of the one Kirk and Kingdom, whether in Religion and Peace, muſt be common to both? If *England* ſhall ſubdue the Enemies of Religion without that aſſiſtance which they call for from us at this time, What help can we expect from them in the Hour of our Temptation, which we have deſerved, and the Lord may bring upon us when he will? God forbid, that we ſhould give them cauſe to Laugh at our Calamity, and Mock when our Fear cometh; and if they ſhall be given over into the Hand of the Enemy (which God in his Mercy avert,) Will not the Enemy, ſtrengthened with increaſe of Power, be the more inſolent and unreſiſtable? And will not the Power of *England*, turned into the Hands of Malignants, turn alſo Enemy againſt this Kirk and Kingdom, and upon ſuch pretences as be already invented, and yet (they will alledge) according to the late Treaty of Peace, within three Months ſpace, denounce a National War againſt us. 19 *Caroli.*

And concerning the third, the Queſtion is not, whether we ſhould preſume to be Arbitrators in the matters now debated by Fire and Sword, betwixt his Majeſty and the Houſes of Parliament, which may ſeem to be Foreign and Extrinſical to this Nation, and wherein we may be conceived to have no intereſt; But whether our Mediation and Interceſſion, being rejected by the one ſide, upon hope of Victory; or ſuppoſe by both ſides, upon confidence of their own Strength and ſeveral Succeſſes, it be not our Duty, it being in our Power, to ſtop or prevent the effuſion of Chriſtian Blood? Or whether we ought not to endeavour to reſcue Our Native King, his Crown and Poſterity, out of the midſt of ſo many Dangers, and to preſerve his People and Kingdom from ruine and deſtruction? If every private Man be bound in Duty to interpoſe himſelf as a Reconciler and Sequeſtrator betwixt his Neighbours, armed to their mutual Deſtruction? If the Son ought to hazard his own Life for the preſervation of his Father and Brother at variance the one againſt another? Shall a Kingdom ſit ſtill and ſuffer their King and Neighbouring Kingdom to periſh in an unnatural War? In the time of Animoſity and Appetite of Revenge, ſuch an interpoſing may be an irritation: But afterwards, when the Eyes of the Mind, no more Blood-run with Paſſion, do diſcern things aright, it ſhall be no grief, nor offence of Heart, but matter of thankſgiving to God, and to the Inſtruments which have kept them from ſhedding of Blood, and from Revenge.

The Covenant is now ſolemnly taken in *England*, and is countenanced there already from Heaven with marvellous ſucceſs. The Propoſitions and Articles of the Treaty are with wonderful unanimity concluded in both Houſes of Parliament, Ceſſation of Arms is agreed upon with the *Iriſh* Rebels, and they, notwithſtanding all the barbarous and unparallell'd Cruelty exerciſed by them upon the Proteſtants and People of God in that Kingdom, honoured with the Title of his Majeſty's Subjects: It is therefore now high time for all true-hearted *Scottiſh*-Men, and good Patriots abroad, eſpecially ſuch as upon fair and plauſible pretences have been formerly miſtaken or ſeduced to take Arms againſt this Cauſe of God and Religion, timely to remember their National Covenant, and ſeriouſly to bethink themſelves of the Duty, which, by ſo manifold Obligations, they owe to their Religion and Native Country in this time of ſo great Diſtreſs and Danger to both; leſt, deſpiſing or neglecting this our Warning and Intimation, they either periſh by wilful perſiſting in their own ways againſt God, their Country, and Covenant; or come too late, and there be no place left for repentance. It is alſo moſt neceſſary for all the good People of all Ranks and Degrees within the Kingdom, to deny themſelves and their own eaſe, or what Earthly Thing is deareſt unto them, to lift up their Eyes and behold the Work of God unto which they are called; and with Heart and Hand to join in this ſo religious, ſo juſt, and ſo neceſſary Expedition, and which upon the Truth of God, our own late comfortable and never to be forgotten Experience, and the Prayers of the People of God, we may be aſſured, will, in the end, againſt all Difficulties and Oppoſition, be Crowned with ſuch Succeſs, as may be Honour to God, confuſion to his preſumptuous and incorrigible Enemies, propagation to the true Religion, and comfort to all the unfeigned Lovers of Truth and Peace, which againſt all Calumny and Contradiction hath been, is, and ſhall be the Sum of our Deſires.

To which His Majeſty return'd the following Anſwer.

An. 1643.

His Majeſty's Declaration *to all His Subjects of His Kingdom of* Scotland: *Upon occaſion of a printed Paper, entituled,* The Declaration of the Kingdom of *Scotland,* concerning the preſent *Expedition* into *England,* &c.

The King's Anſwer.

IT is now, We ſuppoſe, known to the Chriſtian World, and will be known to after-Ages, with what Princely Grace and Fatherly Indulgence We have demeaned Our Self to that Our Native Kingdom of *Scotland,* ſince Our firſt coming to the Crown; how, without inſiſting on thoſe Actions and Circumſtances which might have diverted Our Inclination and Affection from them, We complied with that wonderful Freedom and Benignity with Our Subjects there, that there was nothing within their own hearts deſire towards a complete Happineſs within that Kingdom, which We did not eſtate them in: And that no Accidents or Abſence of Ours might leſſen and abate the continuance thereof, We granted them ſuch unuſual Immunities and Privileges, that We had reaſon to expect, as We had made them Objects of ſuch exceſs of Bounty and Affection from Us, that ſo they would make themſelves Examples of eminent Gratitude and Duty to Us: And that whenſoever Our Safety, Honour and Intereſt, (which they are ſo much oblig'd to defend, by their Duty of Allegiance, by the Laws of that Kingdom, by their many and often reiterated Oaths and Promiſes, and particularly the National Covenant) ſhould be in danger, that they would as one man, obliged by the Laws of God and Man, apply themſelves to Our Succour and Defence; and therefore We cannot believe (howſoever the Subtilty and Induſtry of ſome ſeditious perſons, conſcious of ſo much Diſloyalty to Us, that they cannot forgive themſelves, endeavour to poyſon the hearts and affections of that Our People towards Us, by falſe and malicious Miſinformations) that that Our Native Kingdom will ſuffer it ſelf to be ſo tranſported from its natural Duty and Allegiance, as muſt make it odious to the preſent, and infamous to all ſucceeding Ages.

When We were firſt driven from Our City of *Weſtminſter* by thoſe Tumults (of which We have ſo oft complained, and which indeed were the Seed-plots of this deſperate Rebellion, that hath now ſpread it ſelf over the whole Kingdom) and forced to retire to Our City of *York* for ſafety, We took great care ſo to inform Our Kingdom of *Scotland* of all particulars of Our Condition, that they might not, through the eſteem of the Name of *Two Houſes of Parliament,* (by whom the Injuries offered to Us ſeemed to be done) be apt to miſinterpret Our Sufferings; of the which Our Privy-Council of Our Native Kingdom, being ſolemnly convened, was ſo ſenſible, that they directed the Lord *Lowden* Chancellor (whom they ſent then into this Our Kingdom) in their Names to deſire the Houſes of Parliament here, to leave no fair and good means uneſſayed to induce Us to return to them, eſpecially in the tender Care of Our Royal Perſon, and of Our Princely Greatneſs, and to teſtifie their tender and high Reſpect of Our Perſon, by ſuppreſſing all tumultuous ways, which might endanger or offend Us; and that what they did for the Peace and Security of the Kingdom, might be done in ſuch a fair and reſpective way, as might leave no occaſion to any to alledge, that they were leſs tender and careful of Our Princely Greatneſs and Majeſty, than of their own Liberties. This being firſt performed, would afford juſt grounds to the Council of *Scotland* to become earneſt and humble Suitors to Us, That We would be pleaſed to return to Our Parliament, without which that Council would have ſmall hope to perſuade Us to return: which counſel of theirs, if it had been followed, had prevented all theſe Calamities which have ſince befallen this unhappy Kingdom; but inſtead thereof, Our Towns and Navy were taken from Us, and a deſperate Army raiſed to deſtroy Us; which We had reaſon to expect would rather have inflamed the hearts of Our good Subjects of that Kingdom with Anger and Indignation againſt them, than united them in a League and Covenant of Diſobedience and Undutifulneſs againſt Us, who have omitted nothing on Our part which can become a gracious King towards his People, or a loving Father towards his Children.

Shortly after Our firſt Battel with the Rebels, we were informed, That the ſeditious perſons who had raiſed and continued this Rebellion had the impudence,

dence, by ſome publick Declarations, not only to juſtifie their Treaſon to Our Subjects of *Scotland*, but to invite and require the Aſſiſtance of that Our Native Kingdom to their bringing in an Army into this: And thereupon (that nothing might be wanting on Our part) in the month of *December*, We diſpatched an Expreſs to the Lords of Our Privy-Council of that Kingdom, that they might not be ſurprized with any falſe Intelligence, to the weakning their Duty & Inclination to Our Service, and by Our Letter (the which We again publiſh with this Our Declaration) We took notice of that Overture made to them by thoſe who ſtiled themſelves, *The Two Houſes of Parliament*; and acquainted them at large what and how few thoſe ill perſons were, ſo far from being the Two Houſes, that they were not the Tenth part of the One, or the Fifth part of the Other: thoſe few deſperate ſeditious perſons having, with the aſſiſtance of that rebellious City of *London*, driven the reſt from that Council, becauſe they would not concur with them in their Trayterous Deſigns; with all theſe particulars of their Inſolency and Rebellion, and Our Sufferings, that they could not but be ſatisfied of the truth of both; which then were ſo ſatisfactory, that the ſame was immediately ordained to be Printed and Publiſhed. And therefore We cannot believe this Declaration, which denounceth War, and threatens a preſent Expedition unto this Our Kingdom of *England*, in the behalf of thoſe who by the known Laws of this Land are guilty of Rebellion and Treaſon, can proceed from the conſent of that Our Native Kingdom, but is contrived by thoſe, who, having from the beginning concurred and co-operated with the Promoters of the Rebellion here, deſire to come in now, and be ſharers in the Harveſt and Spoil, though accompanied with the Confuſion and Deſolation of both Nations. 19 *Caroli.*

That Declaration tells us, That Our Kingdom of *Scotland* hath been ready by all good means from the beginning to quench this unnatural Fire; and that, to that purpoſe, application hath been made to Us by Our Council there, which proving ineffectual, Commiſſioners were ſent from thence to Us, to make offer of their Mediation and National Interceſſion, which after long attendance was utterly refuſed and rejected by Us. We are not apt to ſuſpect the Duty and Affection of that Our Native Kingdom, (which We have ſo highly merited) but We are confident, there are many ſeditious perſons within that Kingdom, who have been ſo far from uſing means to quench this unnatural Fire, that they always poured in Oyl, and adminiſtred Supplies for the inflaming it; and that if the Kindlers of it here had not from the beginning received aſſurance of Aid and Aſſiſtance from thence, it had either never been kindled in this Kingdom, or been ſoon extinguiſhed. It is true, that about *February* or *March* laſt the Earl of *Lowden* and Mr. *Henderſon* (perſons very unlike to promote Peace) with two more, attended Us as Commiſſioners from that Kingdom, and offered in the name of that Our Native Kingdom to interpoſe as Mediators, to compoſe the unhappy Differences here; declaring, That they conceived themſelves intitled to ſuch a power of Mediation by the late Act of Pacification: the which when We had carefully peruſed, with the Advice of Our Privy-Council, and found that it gave them not the leaſt Title or Capacity to that purpoſe; and finding, as well by their own expreſſions, as by their Commiſſion and Inſtructions, that they did upon the matter take upon them to be Umpires and Arbitrators of the Quarrel, and to perſwade Us to conſent to the alteration of the Laws of the Kingdom, and to yield to the moſt unreaſonable Propoſitions which had been made to Us, and to which neither Our own Conſcience, or the publick Intereſt of the Kingdom, would ſuffer Us to conſent, We refuſed to admit them in that capacity; well remembring the great Caution which had been uſed by themſelves in the Preamble to the Act of Pacification, leſt that Our Native Kingdom might ſeem to acknowledge any dependency upon Our Parliament of *England*, or make them Judges of them and their Laws, or any thing that might import the ſmalleſt prejudice to their Liberties: and therefore conceiving Our good Subjects of this Kingdom would be equally tender and ſenſible, if We ſhould admit them as Medlers, Interpoſers, and Umpires for the alteration of the long and happily-eſtabliſhed Government of this Kingdom, what paſſed between Us and thoſe Commiſſioners, the ſame being ſolemnly debated at Our Council-board, (where there was neither Prelate nor Papiſt, though that Declaration preſumes to impute Our Reſolution to ſuch Advice), We have likewiſe herewith publiſhed to the world, in which the juſt Reaſons will appear, why

An. 1643.

why We were not willing then to call a Parliament in *Scotland*, which was abſolutely and ſolely in Our Power to grant or refuſe.

The Commiſſioners being returned from *Oxford* without ſucceſs, (as that Declaration ſays), that is, without having perſwaded Us to do that which We could not, or ought not to do, it was thought fit by thoſe who would not ſuffer themſelves to be at Peace, whilſt their Neighbours are in War, ſince We had refuſed to call a Parliament, which by the Law We might refuſe (and for calling whereof there was no neceſſary Cauſes repreſented to Us) to call a Convention of the Eſtates, which they have not the leaſt lawful Power to do (that is, of themſelves, without and againſt Our conſent, upon the matter, to ſummon a Parliament) and to that purpoſe iſſued out Warrants in Our Name throughout the Kingdom, to ſummon ſuch a Convention; which was no ſooner met, than a Reſolution was made, and a Covenant taken by force of Arms, without reſpect of perſons, to make an alteration of the Laws and Government of this Kingdom, without care or reſpect of their National Covenant, which obliges them to defend Our Perſon and Honour, not only in preſervation of Religion, but in all Caſes which may concern Our Honour and Greatneſs; and not to attempt any thing that may tend to the diminution of Our Greatneſs, and contrary to the Act of Pacification ſo ſolemnly made between the Two Kingdoms, by which it is provided, *That the Kingdom of* Scotland *ſhall not Denounce or Make War againſt the Kingdom of* England *or* Ireland, *without Conſent of the Parliament of* Scotland, *the ſame being undertaken for the Kingdom of* England; *and in caſe any of the Subjects of either of the Kingdoms ſhall riſe in Arms, or make War againſt any other of the Kingdoms and Subjects thereof, without conſent of the Parliament of that Kingdom whereof they are Subjects, or upon which they do depend; that they ſhall be held and reputed as Traytors to the States of which they are Subjects.* And both the Kingdoms in the Caſes aforeſaid are bound *to concur in the repreſſing of thoſe that ſhall happen to ariſe in Arms, or make War without the conſent of their own Parliament.* Whoſoever then hath any ſenſe of Piety and Religion, of the Account he muſt one day make for Perjury and Oath-breaking; whoſoever values the Peace and Unity between the Two Nations, and deſires to preſerve the Treaty of Pacification inviolable, for the Happineſs and Security of both Kingdoms, muſt look upon the Authors of this Deſign of an Expedition into *England*, as the moſt deſperate Incendiaries, which they are bound to bring to condign puniſhment. And whoſoever ſhall ſuffer themſelves to be miſled by them into any Action of Undutifulneſs and Diſloyalty, are not guilty of leſs than the breach of their National Covenant, and, as much as in them lies, have diſſolved the Peace ſo deliberately and ſolemnly made between the Two Kingdoms.

How vigilant and careful theſe men are like to be for Our Safety, Honour, and Greatneſs, (terms ſo often uſed by them, and by which they ſo groſly impoſe upon Our People) is by this time evident to the world. If to aſſault Our Perſon with Rebellious Arms, to take away Our Forts and Navy from Us, to deny Us Our Negative Voice, be for Our Safety, Honour, and Greatneſs, theſe Men have reaſon to proceed in their intended Expedition, and to aſſiſt thoſe who have done all this. But their great Quarrel, they ſay, is *for Religion*, which they will needs ſuppoſe to be in danger in this Kingdom; where if it ſhall be ſuppreſſed, theirs in *Scotland* is like to be aſſaulted, of which the Ceſſation with the Rebels in *Ireland* gives them ſome occaſion of fear. We find little (ſomewhat there is) in this Declaration of Our favouring Papiſts: That ſcandal is ſo groundleſs, ſo without colour, that Our Subjects in *Scotland* (even the worſt) can hardly be miſled by it. They well know how readily We conſented to all Laws propoſed by them for ſecuring the Religion of *Scotland*, and how religiouſly We have obſerved thoſe Laws. 'Tis the Prelacy they are troubled with, that is, the Government of the Church of *England* Eſtabliſhed by Law; which 'tis no more in Our power to alter, if We were inclined to it, than to reſtore or ſet up Epiſcopacy in the Church of *Scotland*; the ſame being only to be done by Laws regularly and orderly digeſted. Neither can any man imagine, that the Religion of *Scotland* is more in danger by preſerving the Diſcipline ſo long ſettled, and happily enjoyed in *England*, than the Peace and Liberty of that Kingdom is in danger by the Laws and Civil Cuſtoms of this, which ſo much differ from thoſe of the other. If in truth there be any fear of Religion in theſe men, We have often, and do again from Our Soul profeſs to all the world, That no perſon alive, of what quality ſoever, ever took the De-

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fence and Advancement of the True Reformed Proteſtant Religion more to heart than We have, and ſhall always do: And as We always concurred in any Propoſition made to Us concerning it, by Our Houſes of Parliament, during the time that thoſe Councels were preſerved within any bounds of Sobriety and Duty; ſo when it ſhall pleaſe God ſo far to reſtore Peace to this miſerable Kingdom, that there may be ſuch a Convention in Parliament, as is ſuitable to the Dignity and Freedom thereof, there ſhall be no Overture made to Us for the Advancement and Propagation of the True Reformed Proteſtant Religion, to which We will not with great joy and gladneſs contribute Our beſt and utmoſt Aſſiſtance. 19 *Caroli.*

Concerning the Ceſſation in *Ireland*, maliciouſly inſtanced in this Declaration as a Deſign upon Religion, We need ſay no more than We have done in a Diſcourſe publiſhed on that Argument; by which, and the ſeveral Teſtimonies publiſhed from that Kingdom, it is evident to all the world, in what condition Our Affairs ſtood there; and by whoſe default they were brought into ſuch a condition, and how neceſſary this Ceſſation was, even to the being of that Kingdom. When that Rebellion firſt broke out, We were in Our Kingdom of *Scotland*, which can bear Us witneſs how ſollicitous We were to prevent the growth thereof, both by preparing Remedies in that, and propoſing Remedies to this Kingdom; which if they had been as ſeaſonably applied, would have prevented much of that Blood and Deſolation which hath been ſince the portion of that miſerable Kingdom. What opinion Our Subjects of *Scotland* had of Our Affection and Care of that Our People, appears by the expreſſion in the Act of Council at *Edinburgh* the 22d. of *April*, upon notice from Us of Our Intention to go in Perſon into *Ireland* againſt the Rebels; *Than which*, that Act ſays, *there could be no greater demonſtration of Princely Care and Courage.* Though at the ſame time, the Two Houſes here declared, *That Our Journey thither would make way to the execution of the bloody Deſign of the Papiſts, to root out and deſtroy the Reformed Religion.* So different then was the Underſtanding, Duty and Language of thoſe who are ſince reconciled by this New Covenant.

Having now ſaid all this to ſatisfie ſuch of that Our Native Kingdom, who by the Skill, Malice, and Induſtry of their Seducers, have been miſled to a miſunderſtanding of Us and Our good Cauſe; and having uſed Our utmoſt endeavours, and being ſtill ready to give any other Teſtimony and Security can be deviſed to Our good Subjects of both Kingdoms, that as We have been compelled for the Defence of Our Perſon, Our Children, and Our Crown; for the Religion, Laws, and Liberties of this Kingdom; for the Maintenance of the Privileges and Being of Parliaments, (which We ſhall always hold in high value and eſtimation) ſo We ſhall uſe and employ theſe Arms to no other end, than the Security of all thoſe, and ſhall never ſuffer Our Self to be tempted by any Succeſs or Victory which God ſhall bleſs Us with, to infringe the Laws of this, or violate the Laws of Our other Kingdom; We being ready to acknowledge, that the Aid and Supplies We have received, for the paſſing through the great Difficulties and Straights We were reduced to, have been principally from thoſe perſons whoſe Zeal and Affection to the Religion and Laws eſtabliſhed, are too eminent to ſuffer themſelves to be made Inſtruments of Tyranny and Injuſtice.

We muſt, in the behalf of Our own Honour, and the publick Juſtice of that Our Native Kingdom, declare to all the world, That the calling the Convention of Eſtates, without Our Warrant or Conſent, was without any colour of Law or Right, and contrary to the Conſtitution and Fundamental Laws of that Our Kingdom; and that all Proclamations, Summons and Warrants to that purpoſe; and all Acts, Edicts, and Reſolutions thereby or thereupon, are and were actually null, void, and of none effect; and that Our good Subjects of that Kingdom are in no degree bound or obliged thereby: Particularly, that the two Proclamations publiſhed in Our Name, and given under Our Signet at *Edinburgh* (as is pretended) the one the 15th day of *Auguſt* laſt, For the raiſing a great Sum of Money for the Maintenance of an Army: The other the 18th of the ſame Month, To require all Our Subjects within that Our Kingdom, from Sixteen Years to Sixty, to be ready with Arms and all Warlike Proviſion, at forty eight hours warning, to march as they ſhall be directed: are both againſt Our expreſs Conſent, and without any lawful Authority; and contain in them matters of Treaſon and Rebellion; and therefore We require all

An. 1643. all Our loving Subjects of that Our Native Kingdom, upon their Allegiance, and as they would avoid the heinous Crimes of Treaſon and Rebellion, That they yield no Obedience, or give no Countenance to the ſaid Proclamations, or any other of the ſame nature, publiſhed without Our Conſent.

And if, after all this, the power of theſe miſchievous perſons (whom the Conſcience of their Guilt hurries on to Deſpair) proves ſo great, as to perſwade Our Subjects of that Kingdom, undiſturbed, and unprovoked, as themſelves confeſs, wantonly to throw away that bleſſed Calm and Peace, which they now do, and may, if they pleaſe, always enjoy, and to invade this Kingdom, already infeſted with Trayterous and Rebellious Arms: They muſt not wonder, if We leave no means unattempted to ſuppreſs and puniſh ſuch odious Ingratitude and Treaſon; ſince no Subject of that Our Native Kingdom can in this Quarrel engage himſelf againſt Us, without being a Hater of his Brethren, againſt Chriſtian and Common Charity, a Hater of Himſelf and his Poſterity, againſt the Law, and Light of his own Conſcience; a Hater of the King and his Kingdom, againſt Loyalty and Common Duty; and a Hater of GOD, againſt all Religion and Peace. And We doubt not but the Spirits of all True *Engliſh*-men will riſe with that Anger and Indignation at this unheard of Inſolence, where there is nothing pretended but a Reſolution to give and impoſe New Laws upon them, that they will be united as one Man, to oppoſe the Pride and Tyranny of this Invaſion; And that they will eaſily conclude, That neither Conſcience, nor Brotherly Affection, engages them from their own Peace and Quiet in this ungodly Errand, but a Hope and Reſolution to make a Conqueſt by the help of their Civil Diſſentions, and to inhabit their moſt fruitful and pleaſant places: For that the ſame kindneſs will carry them out, which brings them in, cannot be imagined by any ſober Underſtanding. In a word; If the Sins of both Nations have prepared a Judgment from Heaven, that they are to be drowned and confounded in each others Blood, what Portion ſoever We ſhall have in the Calamity, God and Men will bear witneſs, That We have not been wanting in Our Duty to prevent all the following Miſery and Deſolation.

The *Scots* enter *England*, *Jan.* 1643. Upon the 15th day of *January*, the *Scots* Army entred *England*, croſſing the *Tweed* at *Berwick*; and ſoon after was publiſhed the following Declaration.

The

19 *Caroli.*

The Declaration of the Kingdoms of England *and* Scotland, *joined in Arms for the Vindication and Defence of their Religion, Liberties, and Laws, againſt the* Popiſh, Prelatical, *and* Malignant Party.

By the Honourable Houſes of Parliament of England, *and the Honourable Convention of Eſtates of the Kingdom of* Scotland, *in the year* 1643.

The Declaration of both Kingdoms, *January* 30. 1643.

IF either Chriſtian Duty, which by reaſon of the light of the Goſpel ſo clearly ſhining amongſt us, might have been expected from the Profeſſors of Religion; or if natural affection, which even in the Heathen and Infidels, ignorant of Chriſt, hath abounded toward their Native Countrey; or ſincere Reſpect to His Majeſty's Honour and Happineſs, could have been found in the ways or hearts of our Common Enemies, the Enemies of Truth and Peace: If they had either feared God, or regarded Men, or yielded to our Importunities, we had not, after ſo many Petitions, Declarations and Remonſtrances as have filled other Mens ears and hands, been put to this neceſſity of a new Declaration (which therefore muſt be more pathetick and preſſing than any of the former); nor, after ſo many Troubles and Sufferings of the Kingdom of *Scotland*, after the Deſolation of the Kingdom of *Ireland*, and after ſo much Blood, and ſo many unnatural Tragedies in the Kingdom of *England*, had we been redacted to this preſent condition and joint-poſture of Arms. The Lord, whoſe Counſels are a great depth, and who is righteous in all his ways, and holy in all his works, hath juſt cauſe of Controverſie againſt Us, and this whole Iſland: But who would have believed that our Religion, Liberties and Laws, which for ſo long a time have endured oppoſition and aſſaults of Foreign Power, envying our Happineſs, would have been oppoſed, oppreſſed, and trod under-foot, by the Craft and Cruelty of our own Natives and Countrey-men?

In this our Extremity, *Firſt* of all we declare, That we place not our Confidence in our own Counſels and Strength; but our Confidence is in God Almighty, the Lord of Hoſts, who will not leave nor forſake his People: It is his own Truth and Cauſe which we maintain with all the Reformed Churches, and which hath been witneſſed and ſealed by the Teſtimony, Sufferings, and Blood of ſo many Confeſſors and Martyrs againſt the Hereſie, Superſtition, and Tyranny of Antichriſt: The Glory of his own Name, the Exaltation of the Kingdom of his Son, and the Preſervation of his Church, and of this whole Iſland from utter Ruine and Devaſtation, is our Aim, and the End we have before our eyes: His Covenant have we in both Nations ſolemnly ſworn and ſubſcribed, which he would not have put in our Hearts to do, if he had been minded to deſtroy us. The many Prayers and Supplications which theſe many years paſt, but eſpecially of late, have been offered up with Faſting and Humiliation, and with ſtrong Crying and Tears, unto Him that is able to deliver and ſave us, are a Seed which promiſe unto us a plentiful Harveſt of Comfort and Happineſs; and the Apoſtacy, Atheiſm, Idolatry, Blaſphemies, Profaneneſs, Cruelty, Exceſs, open Mocking of all Godlineſs and Honeſty, have filled the Cup of our Adverſaries to the brim, and threaten their ſpeedy and fearful Deſtruction, unleſs it be prevented by ſuch extraordinary Repentance, as ſeemeth not yet to have entred into their hearts.

Upon theſe, and the like grounds and conſiderations, being confident that this War wherein both Nations, now firmly united, are ſo deeply engaged, is of God, we reſolve with Courage and Conſtancy unto the end, to do our part; and the Lord, who hath ſtirred up our Spirits, diſplayed his Banner before us, and given the Alarm, do that which ſeemeth him good.

An. 1643. *Secondly*, Although every Man is to hope for the principal Reward of his Service from God, who rewards every one according to his works, yet we find our ſelves bound in Conſcience and Equity to declare, That beſides thoſe who have the Publick Faith engaged to them for their Security, ſuch as ſince the beginning have done valiantly, and dealt faithfully in this Cauſe, and as have choſen rather to ſuffer the ſpoiling of their Goods, than to aſſiſt the Enemy, or to take Arms againſt their Religion and Countrey, and ſhall continue conſtant in the ſame courſe of doing or ſuffering unto the end, ſhall be, according to their merits, taken into publick notice and conſideration, their Loſſes (ſo far as may be) repaired, and themſelves honoured and rewarded by ſuch means and ways, as we truſt God in his Providence ſhall afford, and the Parliaments or Eſtates of the Two Kingdoms reſpectively ſhall, in their Wiſdom, Juſtice and Thankfulneſs, judge moſt convenient: So that no man who hath been eminent in Action, or hath ſuffered any notable Loſs for the Publick, ſhall be neglected or ſlighted; but one way or other ſhall be thankfully remembred, to his own Honour, and the Good of his Poſterity.

Thirdly, Although Neutrality and Indifferency in the time of the danger of Religion, be a thing deteſtable to God, who willeth all Chriſtians earneſtly to contend for the Truth, and ſuch as have been Neutraliſts or Indifferent in the times of Civil Diviſion and Danger of the Common-wealth, have been in all Nations ſeverely puniſhed, as pernicious and publick Enemies; yet that the Conſciences of all Men may be the more convinced, and all pretexts removed, we give now publick warning to ſuch perſons to reſt no longer upon their Neutrality, or to pleaſe themſelves with the naughty and ſlothful pretext of Indifferency; but that they addreſs themſelves ſpeedily to take the Covenant, and joyn with all their power in the defence of this Cauſe againſt the Common Enemy, and by their zeal and forwardneſs hereafter to make up what hath been wanting through their lukewarmneſs. This they will find to be their greateſt Wiſdom and Safety; otherwiſe we do declare them to be publick Enemies to their Religion and Countrey, and that they are to be cenſured and puniſhed as profeſſed Adverſaries and Malignants.

Fourthly, Becauſe a great many of the multitude of the People, upon ignorant Miſtakings, falſe Informations, and Threats, or Compulſions, againſt their wills and inclinations, have been induced or conſtrained to join in Arms with the Enemies againſt their Religion and Native Countrey: We do declare, That all Common Soldiers, who, upon the humble acknowledgment of their former Errors, ſhall offer themſelves willingly and ſpeedily to take the Covenant, and ſhall join heartily and really in the Defence of this Cauſe, as becometh good Chriſtians, and Lovers of their Countrey, ſhall be freely accepted into the Covenant, and their former Error paſſed by, otherwiſe let them expect the Puniſhment of wilful Delinquents and Malignants.

Fifthly, Becauſe ſome of the *Scotiſh* Nation, upon their own private reſpects, or upon ſpecious pretences and fair perſwaſions, have joined themſelves in Arms with the Popiſh, Prelatical, and Malignant Party, againſt the Parliament and Kingdom of *England*; and not conſidering the nature of the Cauſe in which they have been engaged, nor the deep Intereſt of the Church and Kingdom of *Scotland*, upon which this War was to turn in the end, have been fighting againſt their own Religion and Native Kingdom: We do therefore again warn all ſuch, of whatſoever quality, and in whatſoever place, ſpeedily to withdraw themſelves from that Faction, to confeſs their miſtakes, and to join in the Covenant and Cauſe of God in both Kingdoms, before the firſt day of *March* next, otherwiſe we declare, in the behalf of the Kingdom of *England*, That they are to expect no favour, but are to be uſed as deſperate Malignants; and we declare, in behalf of the Kingdom of *Scotland*, If they either continue in Arms after the aforeſaid firſt day of *March*, or withhold their help and aſſiſtance from their Native Countrey, in the time of Trouble and Danger, they are to be cenſured and puniſhed as publick Enemies to their Religion and Countrey, perfidious tranſgreſſors of their National Covenant, and their Eſtates diſpoſed of for the uſe of the Publick.

Sixthly, Becauſe there are divers Noblemen, Knights, Gentlemen, Citizens, and others, who by forſaking or deſerting the Parliament of *England*, and by joining themſelves to the Enemies of Religion, His Majeſty's Happineſs, and

Peace

Peace of the Kingdoms, have made the diviſion greater, and the breaches wider betwixt the King and his Parliament, and thereby, contrary to the duty of their places and callings, have been the cauſe of the ſhedding of much innocent Blood, of great Loſſes, and of many Miſeries and Dangers to the Publick of both Kingdoms, and of the Sufferings of private Men in their Eſtates and Lives, and yet are not to be reckoned amongſt the prime Authors of this Unnatural War, nor amongſt the malicious and deſperate Enemies of their Religion and Countrey; We do declare, That all ſuch, forſaking their former Oppoſition, returning to their Duty, and endeavouring the good of Religion, and the publick Peace, ſhall, as to their Lives, and Liberties of their perſons, be ſecured, and ſhall be received into favour. But to the end that a juſt difference may be made betwixt ſuch perſons returning ſo late to their Duty, and thoſe that never departed from it, they muſt expect, that toward the payment of the publick Debts, relieving the common Burdens of the Kingdoms, and repairing of particular Loſſes; all which, in a great part, have been contracted and ſuſtained by their default or procurement, their Eſtates in ſome proportions ſhould be liable; and that as the Wiſdom and Diſcretion of the Parliamen, or of ſuch as ſhall be authoriſed by them, who will be as careful to prevent their Ruine, as to puniſh their Delinquencies, ſhall find and judge to be neceſſary for that end. Wherein alſo, the time of their returning and offering themſelves, the reality of their affections and intentions, and readineſs to join in the Common Cauſe, A COVENANT, will be taken into ſpecial conſideration; and in caſe they perſiſt in their oppoſition, and ſhall not return before the firſt day of *March* next, they are not to expect favour, but ſhall be puniſhed as publick Enemies to their Religion and Countrey. 19 *Caroli.*

Seventhly, Becauſe Papiſts and Popiſh Recuſants, according to the Principles of their Profeſſion, have ever been plotting and contriving the change of Religion in this Iſland, and the Ruine of all the Profeſſors thereof; and after the fruſtration of their Attempts, having waited upon ſuch a time as this, have alienated the heart of the King's Majeſty from his Proteſtant and Loyal Subjects, taken Arms againſt the Parliament and Kingdom, and by all their means and power have maintained a bloody and unnatural War, preſuming in the end to have their execrable Superſtition and Idolatry ſet up in the place of the True Reformed Religion, and the King and his Kingdoms to be brought under the Power and Tyranny of the Pope: We do hereby declare, That all ſuch Papiſts and Popiſh Recuſants, who have been, now are, or ſhall be, actually in Arms, under the falſe pretence of *Defending the King's Perſon and Authority*, are to look for no favour, but to be puniſhed as Traytors, and profeſſed and intolerable Enemies of Religion and their Native Countrey. The ſame Declaration we alſo make againſt ſuch *Iriſh* Rebels, whether Papiſts or others, who have come over from *Ireland*, and aſſiſted in this War againſt the Parliament and Kingdom of *England*.

And *laſtly*, Becauſe there are ſome few wicked and deviliſh Spirits of both Kingdoms, who have kindled and fomented the fire of Diviſion and War betwixt the King and his Parliament, or have miſgoverned His Majeſty's Counſels and Courſes, to his own Diſhonour, and to the Deſtruction of his loving and dutiful Subjects, or have infuſed Malignancy in others, or have been reſtleſs and active Inſtruments of the Troubles and Miſeries of His Majeſty's Dominions: We do declare, concerning thoſe who are or ſhall be found by the Supreme Judicatories of the Kingdoms reſpectively, or their Committees appointed for that effect, to be ſuch, that as the Conſcience of their own bad Deſervings hath made them to deſpair of favour, and thereby inceſſantly to work more and more miſchief againſt their Religion and Native Countrey; ſo are they to look for ſuch Execution of Juſtice, as is due to Traytors and Enemies of Religion, of the King and his Kingdoms, for Terrour and Example to others, in all times to come.

And it is further now declared, That the whole Eſtates, real and perſonal, movable, and Inheritance of thoſe that ſhall not come in at the times before limited in the ſixth Article, and of the perſons before excepted from Pardon, as of Papiſts in Arms, *Iriſh* Rebels, and thoſe who ſhall be found to come within the compaſs of the precedent Article, ſhall be forfeited and employed for paying the publick Debts, relieving the common Burthens of the Kingdoms, and repairing of particular Loſſes.

An. 1643.

And this Declaration we make, not from any preſumption or vain-glory in the ſtrength of our Armies and Forces, but from the ſenſe of that Duty which is required and expected from the high Places and publick Relations wherein we ſtand, and from the aſſurance we have of the aſſiſtance of God, by whoſe Providence the Truſt and Safety of theſe Kingdoms is put into our hands at this time: having, after long and grave conſultation, reſolved and decreed never to lay down Arms till Truth and Peace, by the Bleſſing of God, be ſettled in this Iſland upon a firm foundation for the preſent and future Generations, which ſhall be eſteemed of as an abundant Reward of all that we can do or ſuffer in this Cauſe.

The Declaration of ſeveral Lords and Gentlemen of Scotland, *againſt the marching of the* Scots *Army into* England.

Declaration againſt the *Scots* marching into *England.*

WE His Majeſty's Loyal Subjects of the *Scottiſh* Nation, whoſe Names are under-written, having a right and faithful ſenſe of the undeſerved Sufferings of our gracious Sovereign, and of the ſad Condition, at preſent, of all His Majeſty's Dominions, through the Diſloyalty and Rebellion of a Trayterous and moſt ungrateful Faction in both Kingdoms: And being, as becomes us, moſt particularly and moſt deeply afflicted, that any of our own Nation ſhould have had, and ſtill have, ſo great a hand in inducing and continuing theſe publick Calamities; as that for the treacherous and perfidious practices of ſome our whole Nation is in danger of ſuffering the deteſtable imputation of partaking in this odious Rebellion: which miſunderſtanding is principally occaſioned by the Power which thoſe unnatural and diſloyal perſons have gotten, of countenancing their moſt treaſonable Actions, with the Forms and Gloſſes of publick Authority: We being deſirous not only to vindicate our ſelves, but, as far as in us lies, our Nation from that Infamy which ſome of our trayterous Countrey-men have drawn upon themſelves, and would gladly involve the whole in their Crime, have thought fit to expreſs in this ſolemn Declaration, our Hatred and Deteſtation of the Rebellion in both Kingdoms, and of the preſent Invaſion of this of *England* by thoſe of our Nation, as alſo our Judgments of the late pretended Convention, the ſource and fountain of thoſe Treaſons and Impieties. And we do hereby profeſs and declare, That we eſteem the ſaid pretended Convention to be a preſumptuous, illegal, and trayterous Meeting, as being deſigned to excite Sedition and Rebellion in that Kingdom, and a moſt unjuſt Invaſion of this. And as we do utterly diſclaim and abhor the ſame, ſo do we in like manner all Committees, general and particular, flowing from the ſame, and all Acts, Ordinances and Decrees made and given therein; and particularly, that trayterous and damnable Covenant taken and impoſed by the Rebels of both Kingdoms, which we heartily and unfeignedly deteſt, and ſhall never enter into, by Force, Perſwaſion, or any Reſpect whatſoever, as being a moſt impious Impoſition upon Mens Conſciences, to engage them, under a falſe pretence of Religion, in Treaſon and Rebellion againſt their Sovereign. And we do further renounce and deteſt any Authority, either of the Convention or Parliament, as to the levying of Arms, upon any colour whatſoever, without His Majeſty's Conſent. And we do ſincerely profeſs, That we do eſteem our Countrey-mens preſent taking Arms, and their invading this Realm of *England*, to be an Act of High-Treaſon and Rebellion; and hold our ſelves obliged by Allegiance, and by the *Act of Pacification*, to withſtand and oppoſe the ſame. Likeas we promiſe upon our Honours, every one of us, faithfully to employ our uttermoſt Powers and Abilities, both with Life and Fortunes, to ſuppreſs the ſaid Rebels now in Arms, againſt His Majeſty and his Crown of *England*. In which juſt Cauſe we do make the like Engagement firmly and conſtantly to adhere to one another, and to all His Majeſty's faithful Subjects that ſhall join with us in that Endeavour, and in this Declaration of our Fidelity.

Forth

19 *Caroli.*

Forth
Crafurd
Montroſe
Abercorne
Nithiſdail
D. Reay
Kinneal
Traquaire
J. Aboyn
Ogilny
Alexander Leſlie
Alexander Smyth
William Flemyng
Ro. Spotſwood
Hay
David Serginſons
Thomas Ogilny
Jo. Macbrayre
W. Lailland
Ogilny
Jo. Innes
Amos Innes
Philip Nisbett
Za. Gordon
W. Morray
John Houſton
Alexander Charties
J. Cocheran.

CHAP. XIV.

An. 1642.

CHAP. XIV.

Tranſactions in Ireland, *and Paſſages relating thereunto, in the Years* 1642. *and* 1643. *until the Ceſſation concluded the* 15*th. of* Sept. 1643.

A Letter written from Iſidore's *College in* Rome, *by* Bonaventure O-Conney, *to* Phelim Roe O-Neal *in* Ireland, *dated* Jan. 4. 164$\frac{1}{2}$.

A Letter written from *Iſidore's* College in *Rome*, by *Bonaventure O-Conney*, to *Phelim Roe O-Neale* in *Ireland*, dated *Jan.* 4. 1642

THE Holy Father and his two Nephews, Cardinal *Anthony Barbarinus*, Protector of *Ireland*, and Cardinal *Francis Barbarinus*, who hath all the Power here in ſuch matters as concern the Pope, have heard of the War and Confederation, which you make for your Religion and Liberty; and truly I cannot expreſs the greatneſs of the Joy (no wonder) which they conceive here; in ſuch manner, that if they had received Letters, or if you had ſent an Agent unto them, *to expreſs your Will or Deſigns, you ſhould want no help*, for your better proceeding; wherefore I would have you to ſend ſome Able Man, with a Declaration of your Grievances, in Form of Law.

Be ſure you have a great Heart; make ſome Chief Head among you; but reſerve the Crown for *Con O-Neale*. Remember the old Slavery, wherein you have lived of long time, and the Deſtruction which will generally come upon you, except you get the upper Hand. You will prevail, if you join together as you ought; God ſend it. I would adviſe every Chief Officer among you, to have a Secretary along with him, to write a Diurnal of your Paſſages and Overthrows which your Enemies receive, will redound much to your Glory. Spoil not the Country, for fear of Famine. I will not fail to write, according as I ſhall hear from you. We would ſend unto you a Bull, after the Form of the *Bull* which *Hugh Mac-Baron* got, if we had received your Letters. If the Church do well, they will turn over the election of Prelates there to the Nobility, and will give them Authority in that point.

The Siege of *Tredagh.*

The City, *Tredagh*, lies about 3 Miles from the Sea, in a plain open Country, no Bogs or Marſh-land near it, encompaſſed with an old Stone Wall, without Bulwarks, or any kind of Rampiers, or other Fortifications, but an ordinary Ditch; through the midſt of it runs the River *Boyne*; the Harbour none of the beſt, yet admits Veſſels of good Burthen; and ſuch as exceed not 60 Tuns, may come up to the very Bridge in the Town. The Lord Viſcount *Moor*, upon the firſt diſcovery of the Plot, having notice that his Siſter the Lady *Blaney's* Caſtle was ſurpriz'd, and her ſelf and Children impriſon'd by the Rebels, haſted in the midſt of the Night to this City, *Octob.* 26. with his Troop of Horſe conſiſting of 66. and called up the Major and Aldermen to a ſpeedy defence; but they and moſt of the Inhabitants being Papiſts, he found them very unready and backward; yet having regained ſome old pieces of Ordnance caſt into a Dungeon, he fitted up them and four more that he took out of a Merchant's Ship, and planted them at the Gates, and moſt uſeful Places, and ſtrengthned the Walls. There were two half ſtanding Companies in the Town, Sir *John Nettervil's* and Capt. *Rockley's*, (but the former proved falſe,) and 120 of the *Engliſh* Inhabitants, and other Proteſtants, join'd themſelves in a Company

pany under Capt. *Seafoul Gibſon.* On the 4th. of *Nov.* (upon intelligence given at *Dublin*, by Dr. *Jones*, that the Rebels had a deſign upon *Tredagh*) Sir *Henry Titchburn* was ſent to be Governour, with a Regiment of Foot and two Troops of Horſe, and ſome other ſmall Forces got in afterwards. Upon the 30 *Nov.* the Rebels having made themſelves Maſters, in a manner, of the whole Province of *Leimſter*, (the moſt flouriſhing part of the Kingdom,) except *Dublin* and this City, advanced on both ſides of it, near to the Walls, and block'd up the paſſage of the River, ſo that no ſuccour could be brought in by Sea or Land. 19 *Caroli*

The Siege begun *Nov.* 31. 1641.

On the 3. of *Dec.* a Party of 350. and 2 Troops of Horſe ſallied out, to ſecure ſome Carriages ſent out for Corn at the *Green-Hills* about half a Mile off, when unexpectedly there appeared a Body of 3000 Men; upon which ſome Officers adviſed to retreat, and ſome of the Horſe in the rear (being Papiſts) ran back; Sir *Henry Titchburn* alighting from his Horſe, led the Muſqueteers up the Hill, and commanded his Pikes to open for the Horſe, and gave the Rebels ſo home a charge, as he made them fly with the loſs of 200. and of his own ſide loſt not a Man. Then the Rebels ſent to Parley; upon which one *Darcy* a Friar, and a Captain of his Name, demanded a ſurrender of the Place, for his Majeſty's uſe and Service, in the Name of the Commanders of the Catholick Army: The Governor returned Anſwer, That he had a Commiſſion from his Majeſty to keep the Town, and would do ſo; and if the Rebels *attempted it by Storm, they would defend it with their Bones; if, by Famine, they ſhould hear they Eat their Horſes Hides.* And to oblige the Garriſon and Inhabitants to a certain Reſolution, finding the latter very treacherous, the following Proteſtation was tendred.

The Preamble of an Oath for preſervation of the Town.

WHereas we are beſet with ſuch who pretend their Attempts (in taking this Town) to be for the advancement of His Majeſty's Service, (which notwithſtanding we believe is but a pretext to delude the Vulgar;) we the Governour and Captains of the ſaid Town, for the farther Manifeſtation and Approbation of our Loyalty and Thankfulneſs to His Majeſty, by whoſe immediate Command we are charged for the defence of his Juſt and Royal Title in it, do likewiſe hereby unanimouſly make this following Proteſtation and Oath, and do Injoin it to be taken by every Soldier and Inhabitant of this Town, as the Evidence of their Faith and Truth, to the King's Crown and Dignity, which we ſhall maintain with our Lives and Eſtates, and that ſuch as ſhall refuſe it be put out of the Gates.

The Oath.

I Shall to my uttermoſt, endeavour the defence of this Town, againſt all outward and inward Attempts whatſoever, for His Majeſty's Service: I ſhall forthwith diſcover any Plot, Conſpiracy or Combination, which ſhall or may come to my knowledge from without or within, which may any ways be intended to the prejudice of the whole Town, or to the Perſon of the Mayor, Governour, Aldermen, or any of the Captains or Officers Garriſoned in it: I ſhall not Attempt or Conſent, That the Town ſhall be given up upon any Pretence or Cauſe whatſoever, without conſent of the Governour, Mayor, and greater part of the Captains and Aldermen in it; or without ſpecial command from his Majeſty, or chief Governour or Governours of the Kingdom. All which I do hereby Swear truly and faithfully to obſerve and keep without any fraud, deceit, or mental Reſervation whatſoever.

Many

An 1643.

Many that took this Oath, afterwards broke it; but the Mayor and Aldermen refuſed it. *Dec.* 22. about one a Clock in the morning, the Rebels made an Attempt, but were beaten off by the *Canon*, and divers ſlain. The want of Proviſion both for Men and Horſe was now very grievous; but on the 11th. of *January* they received a ſupply by Sea, and the Soldiers *drinking* too liberally, being tempted thereunto by the Friars, who had drawn ſome of the Centinels from their Guards, and ſome within giving notice to the Enemy thereof, the Rebels about four a Clock next morning made a Breach in the Wall, at which 500 of their choiceſt Officers and Soldiers entred unheard, till having marched as far as the Key, they gave a ſhout, which the Governour hearing, inſtantly ran down unarmed, only with his Piſtols in his Hands, and cauſed a Drum to beat, wherewith his Men being alarm'd, and finding the Rebels Pykes to be ſhorter than theirs by a Yard, charg'd them home, and the Lord *Moor* (coming in with ſome Horſe) and Sir *John Borlace* haſtened to the Breach, and kept out any more from entring, and moſt of thoſe that came in were cut off. Thoſe of the Rebels Party in the City had mark'd their Doors with Chalk, to be known.

The firſt ſupply to the Town.

The Rebels enter the Town, but are repulſed.

Febr. 11. Lieutenant *Greenham* ſallied out with a Party of Horſe and Foot, routed 60 of the Enemy, and took a Lieutenant, an Enſign, and other Priſoners. But now the Town was brought to great Extremity, Horſe-fleſh, Dogs and Cats being excellent Food; but on the 14th. of *Febr.* in a Sally, with much hazard, they recovered 80 Cows, and 200 Sheep of the Enemy, and at the ſame time came in by Sea a plentiful Relief for three months. On the 26th. of *Febr.* the Governour went forth with 220 Foot, and 120 Horſe to *Beanbeck*, ſecured ſome Corn and Hay, at *Smithſtown* met a Party of Rebels, ſlew 300, took 2 Colours and a Drum; which Succeſs that it might be improved to a total raiſing of the Siege, my Lord *Moor* march'd out with 600 Foot, and 120 Horſe, and 2 Field-Pieces; but by reaſon of the Rains did little Execution, only loaded themſelves with Corn, and ſo returned. The firſt of *March* young Sir *John Borlace*, with four Companies, beat a Party of the Rebels, ſecured 200 *l.* worth of Corn: The Lord *Moor* the ſame day routed another Party; and the Caſtle of *Colp* was taken, and all the Rebels in it put to the Sword, except the Captain. The fourth of *March* his Lordſhip went abroad again with 400 Foot and 80 Horſe, fought with Sir *Phelim O-Neal*, and Colonel *Mac-Bryan*, who appeared with 8 Colours advantageouſly entrench'd; but they were ſoon beat out and put to flight, and near 400 ſlain, and the reſt ſaved themſelves in a *Bogg*; and henceforwards the City of *Tredagh* was free from the Siege, and that Garriſon recruited with four Companies of Foot, two Troops of Horſe, and ſome Cannon at leiſure, to viſit the Rebels in the adjacent Countries.

The Garriſon in the Town forced to eat Horſes, Dogs, Cats, *&c.* Again ſupply'd.

Tredagh freed from its Siege, *March* 4. 1642.

On the 21. of *March*, the Lord *Moor* and Sir *Henry Titchburn*, march'd out with 1000 Foot and 200 Horſe; and after a ſmart Fight, on the 23. with about 1500 of the Rebels, they having routed and ſlain near 400 of them, made an Aſſault upon *Dundalk*, (a ſtrong and well-fortified Town, having a double Wall, a double Ditch, a *Moraſs* on the one ſide, and the Sea on t'other.) They approached this Town on the 26th. of *March*, about 9 in the Morning, planted their Ordnance on a little Hill near the Gate, which 500 of the Rebels for a while defended; but being forced to retire, Lieutenant-Colonel *Wainman* with 300 Men reſolutely advanced to the Gate, and with Pickaxes (after a brisk encounter) entred, which made way for the Horſe to enter,

The taking of *Dundalk*, *March* 26. 1642.

18 *Caroli.*

enter, who with a full Gallop purſuing the Enemy killed many; but upon the turning to the next Gate, ſeeing 2 or 3 Braſs Pieces planted, and 500 of the Rebels ready to receive them, they were obliged to retreat: and a Caſtle at the Head of that Street plaid hot upon them and killed ten Men, whereof one was Enſign *Forteſcue*, a very brave Gentleman. This enraging the Lord *Moor*, he ſet the Houſes near the Caſtle on Fire, through which the Wind blowing the ſmoak on the Caſtle, the Soldiers making Bundles of dryed Bean-ſtalks, intermix'd with Tow and Gun-powder, and carrying them on their Heads, got undiſcovered to the Caſtle-door, which they blew up; whereupon thoſe within, almoſt choak'd and fully frighted, leap'd out at a Window, and ſo my Lord's Forces became Maſters thereof, from whence they play'd their Muſquets into the Town ſo thick that none could walk the Streets; then they drew up Ordnance againſt the Inner Gate, and with ten Wool-packs, luckily found in the Caſtle, made a kind of Bulwark for the Muſqueteers; which the Rebels perceiving left their Pieces there loaden, and Sir *Henry Titchburn* with a Diviſion of Horſe, marching by the back of the Town, killed 40; and entring at a By-gate found the Town deſerted. Here were taken three Braſs Pieces and much good Pillage. And now Sir *Phelim O-Neale* fled to the *Newry*, and thence into the Counties of *Tyrone* and *Ardmagh*, where in Revenge of his Loſſes before *Tredagh*, he exerciſed the utmoſt Cruelties on Men, Women and Children.

Carrickmain Caſtle taken and Sir *Simon Harcourt* and Major *Berry* ſlain, *March* 26th.

The ſame 26. of *March* Sir *Simon Harcourt* with a ſmall Party, marched out of *Dublin*, towards *Wickloe*, and finding the Rebels poſſeſſed of the Caſtle of *Carrickmain*, but 4 Miles from *Dublin*, ſent back for two great Guns to batter it; but before they arrived, Serjeant-Major *Berry* viewing the Caſtle, with 200 Firelocks, was ſhot in the ſide, whereof he ſoon after dyed, and Sir *Simon* himſelf giving orders to his Men was alſo ſlain by a ſhot from the Caſtle, which ſo enraged his Men, that within few hours after the Guns came up, they, under the Command of Colonel *Gibſon*, made a Breach, and entring the Caſtle with great fury, put all that they found therein to the Sword.

Upon the breaking out of the Rebellion, as many of the *Engliſh* as could, ſecured themſelves in Caſtles and ſtrong Holds, where they had been beſieged by the Rebels, and moſt of them endured great Extremities for want of Neceſſaries; and therefore it was now thought fit to relieve them: In order whereunto,

The Earl of *Ormond*'s Expedition againſt the Rebels, *April* 1642.

On *Saturday*, the Second of *April*,

The Earl of *Ormond*, Lieutenant-General of his Majeſties Forces in the Kingdom of *Ireland*, with 3000 Foot, and 500 Horſe, and five Field-Pieces, marched from *Dublin*, and quartered that Night at *Racoole*.

Sunday Morning, the Third,

After Prayers, the Army marched towards the *Naaſe*, burning ſeveral Villages of the Rebels in their March. Within a Mile of the Quarter, Captain *Armſtrong*, Quarter-maſter General of the Horſe, brought word, that in a Caſtle, called *Tipper*, belonging to one *Sutton* a Colonel (as they call'd him) amongſt the Rebels, where the ſaid *Armſtrong* intended to Quarter a Troop of Horſe, there were ſome Rebels; whereupon the Lieutenant-General ſent thither Sir *George Wentworth*'s Troop of Horſe, then commanded by Captain *Harman*, with direction to ſurround the Caſtle; and one of the Trumpeters approaching nearer than he had direction, was ſlain by a ſhot from the Caſtle. The Lieu-

An. 1643. tenant-General upon notice thereof, ſent a Party of Foot, under the Command of Sir *Charles Coote*, who blew up the Caſtle, and therein a Popiſh Prieſt, Uncle to the ſaid *Sutton*, and ſome others; ſo returned back to the Quarter.

Monday, the Fourth,

The Army marched to *Killcullin*, burning in their March the Villages in the way, which belonged to the Rebels, and quartered at *Killcullin* that Night.

Tueſday, the Fifth,

The Army marched from thence to *Athy*, and in their way burnt the Caſtle and Town of *Killtruſh*, belonging to *Fitz-Gerald*, a Colonel alſo amongſt the Rebels, and relieved ſome *Engliſh*-men which had been long Priſoners with the Rebels, one of them being an aged Man and a Miniſter. The Army came that Night to *Athy*. Before they got thither, the Townſmen not knowing they were ſo near them, and fearing the approach of the Rebels, who had the day before aſſaulted the Town, burnt the moſt part of the Houſes of the Town, leſt coming into the Hands of the Rebels they ſhould thereby be the better inabled to annoy the Caſtle.

Wedneſday, the Sixth,

The Army reſted at *Athy*, and the Lieutenant-General ſent four Troops of Horſe to relieve the Caſtles of *Catherlagh* and *Cloughgreman*, (*viz.*) his Lordſhip's Troop, commanded by Sir *Patrick Wymes*; Sir *George Wentworth's* Troop, commanded by Captain *Thomas Harman*; Captain *Thomas Armſtrong's* Troop, commanded by himſelf; and part of Sir *Charles Coote's*. When they came within ſight of the Town, the Rebels obſerving their approach, ſet the Town on Fire and fled; whereupon Captain *Harman*, beſt knowing that Country, and which way they would take, did with his Troop of Horſe purſue them, and killed 50 of them, (the reſt eſcaping into a *Bogg*,) brought in good ſtore of Cattle, and relieved the Caſtle, where there were 500 Perſons who were exceedingly diſtreſſed, having been a long time beſieged by the Rebels. The Troops returned that Night to their Quarters, having relieved both the Caſtles. The ſame day Sir *Charles Coote* was ſent forth with a Party of Horſe and Foot, and relieved Captain *George Graham's* Caſtle, called *Ballilenon*, wherein there were 300 Perſons. Caſtle *Rebon* was reliev'd the ſame day by the Lord Lieutenant's and Sir *Tho. Lucas's* Troops; and a Caſtle near it, called *Bert*, taken in, and eight Rebels found in it, who were immediately hanged.

Several Caſtles relieved.

Thurſday, the Seventh,

The Lieutenant marched from *Athy* to *Stradbally*, and left at *Athy* Colonel *Grauford* and his Regiment, and Sir *George Wentworth's* Troop of Horſe, for the Guard of the Town, being a Paſſage over the River *Barrow*.

Friday, the Eighth,

The Army marched from *Stradbally* towards his Majeſty's Fort of *Mary-Borough*. That day Sir *Tho. Lucas*, Commiſſary-General of the Horſe, accompanied with Sir *Charles Coote*, together with four Troops of Horſe, commanded by the Lord Lieutenant, Lord *Liſle*, Sir *Thomas Lucas*, and Sir *Charles Coote*, were ſent to relieve *Ballynekill-Caſtle* with Ammunition; in their March thither there ſallied out of one *Dempſie's* Caſtle, called *Knockardnegurragh*, 300 of the Rebels; Captain *Terſwell*, commanding the Lord *Liſle's* Troop, charged them and killed 60 of them, and put the reſt to flight. In that Service there was a Gentleman of the *Scottiſh* Nation, called Maſter *Calvill*,

Calvill, ſhot in the Arm: Some Arms were then taken from the Rebels, which were left with the Earl of *London-Derry*'s Uncle, at *Ballynekill*. That Night thoſe Troops returned back to the Fort of *Mary-Borrough*. 18 *Caroli.*

Saturday, the Ninth,

The whole Army reſted at the Fort of *Mary-Borrough*.

Eaſter-Day, the Tenth,

Sir *Tho. Lucas*, Commiſſary-General of the Horſe, accompanied with Sir *Charles Coote*, together with ſix Troops of Horſe, (*viz.*) the Lord Lieutenant's, Sir *Tho. Lucas*'s, Sir *Charles Coote*'s, Sir *Richard Greenvile*'s, Captain *Armſtrong*'s, and Captain *Scout*'s, were ſent with Ammunition to relieve the Caſtles of *Burrows*, *Knocknemeaſe*, and *Burr*; in which Day's march, paſſing the River of the *Noare*, the Rebels ſhot at our Troops; but ſome of the Horſe beat them out of the Woods, and killed ſome of them. Near the Caſtle of *Florence Fitz-Patrick*, there was a ſtone-Cauſey thorow a Bogg, where but two Horſes could march in a Front, where the Rebels had caſt up a Ditch on each ſide of the Cauſey, and cut off ſome two Yards in length at the entrance on the Cauſey, ſo to hinder our paſſage; but although the Rebels ſtood in view, ready to play upon them with their ſhot; yet our Men remaining reſolute in the Service they went about, deſerted not that place, but alighted from Horſe-back, and Sir *Charles Coote* in his own Perſon, with thirty of the Dragoons there become Muſqueteers, did on Foot charge the Rebels, ſo to force their paſſage, and did force it, being ſeconded therein by thirty of Sir *Tho. Lucas*'s Horſe, the reſt of the Horſe coming on ſoftly after. In that Conflict and Execution done by the Horſe, he that there commanded the Rebels in chief was ſlain, with forty of the Rebels. Captain *Armſtrong* was ſlightly ſhot. The Paſſage being ſo gained, the Troops marched to *Burrows*, the Duke of *Buckingham*'s Caſtle, and there relieved all the *Engliſh*-Men, being about three hundred, who had been for a long time beſieged by the Rebels, and were almoſt *ſtarved*. From thence the Troops marched forward to the *Burr*, and in the way relieved the Caſtle of *Knocknemeaſe*, and got to the *Burr* about three of the Clock in the Morning, and relieved the Caſtle, and four or five hundred *Engliſh* therein, who had endured a long Siege by the Rebels.

Monday, the Eleventh,

The Troops, in their return back, marched thorow *O-Dunn*'s Country, and burnt all the Country until they came to *Caſtle-Cuff*, from thence marching to *Portnehinch*, thorow Woods and Boggs, the Rebels fell upon them, and Captain *Tarner* was ſhot in the Forehead, of which ſhot he is well recovered. Some of the Troops were hurt, and divers of their Horſes killed; and the Paſſage of *Portnehinch* was poſſeſſed by the Rebels, ſo that the Troops were forced to ſwim the River of the *Barrow*. The Lieutenant-General knowing that the Troops were to return that way, and conſidering that it is a dangerous Paſſage, (he being himſelf indiſpoſed by reaſon of Sickneſs all *Saturday* and *Sunday*,) ſent thither 500 Foot commanded by *Colonel Monk*, and the Lord *Liſle*'s Troop of Horſe, commanded by Captain *Terſwell*, who burnt all the Country, and kept the Rebels ſo buſie in fight, who had intrench'd themſelves upon that Paſſage, as gave our Troops opportunity to get ſafe over another Paſſage; but were ſo ill guided in the Night thorow the *Boggs*, that they were conſtrained to ſtay all that Night in the Boggs until Morning; and in this hard Journey there were loſt,

An. 1642. loſt, and made unſerviceable above a 100 Horſe; the Horſemen having ſate eight and forty hours on Horſe-back, before they came back to the Fort at *Mary-Borrough*; alſo the Lieutenant-General upon *Eaſter*-day ſent his own Troop of Horſe, commanded by Sir *Patrick Wymes*, to *Ballynekill*, to relieve the *Engliſh* that were there, who were in great diſtreſs for want of Victuals; where the Troop quartered that Night.

Monday Morning, the Eleventh,

Sir *Patrick* gave directions, that all the Carrs and Horſes that could be found there, ſhould be made ready to bring in *Corn* for the relief of the Caſtle, and with his Troop brought in unto them 80 Barrels of *Wheat* and *Beer*, belonging to one *Dempſie*, a notorious Rebel, which they took within Musket ſhot of his Caſtle. About five of the Clock in the afternoon there were *one thouſand* of the Rebels, and two Troops of Horſe, that ſhew'd themſelves upon a Hill called *Ballioskill*, within two Musket's ſhot, and did not advance. Sir *Patrick Wymes* burnt all the Villages belonging to *Dempſie*, and returned back that Night with the Troop to the Fort of *Mary-Borrough*. That Night the Lieutenant-General received intelligence, by Letters from Colonel *Grauford*, that the Rebels with about 40 Colours were encamped on both ſides of the River of *Barrow*, and were there making up the Bridge of *Magainy*, which had been in the beginning of the Rebellion broken by order from the *State*.

Tueſday, the Twelfth,

The whole Army lay ſtill at the Fort of *Mary-Borrough*, to give reſt to the Troops, the better to prepare and enable them for ſervice, ſeeing there was advertiſement of the Rebels being encamp'd, ſo as they might give them fight in their return.

Wedneſday, the Thirteenth,

The Army march'd thorough to *Athy*, and burnt a great part of the Territory of *Clanmaleero*, a Country belonging to the Lord *Dempſie* in Rebellion.

Thurſday, the Fourteenth,

The Army continued at *Athy*, the Rebels quartering on both ſides the River at the Bridge of *Magainy*, within four Miles of *Athy*, with about 7000 Foot, and 200 Horſe; amongſt whom were (as we underſtood by ſome Priſoners taken in the fight) the Lord Viſcount *Montgarrat*, the Lord Viſcount *Ikerin*, the Lord Baron *Dunbonie*, the Baron of *Lughmoe*, and moſt of the principal Rebels of the Counties of *Wickloe*, *Wexford*, *Catherlagh*, *Kildare*, *Kilkenny*, and *Queens-County*, who drew up a part of their Forces to a place called *Tankarſtown*, near *Grange Mellon*, a Caſtle defended by Mrs. *Borroughs* and ſome Warders, which had been long beſieged by the Rebels, where the Lieutenant's Troop of Horſe, commanded by Sir *Patrick Wymes*, and Captain *Armſtrong*'s Troop, were quartered; from which Caſtle in the Morning, by directions from the Lieutenant-General, Cornet *Butler*, and Cornet *Magragh*, were ſent to diſcover the Rebels; but they obſerving that part of the Troops were a Foraging, ſent over a Troop of Horſe, each Horſeman carrying behind him a Muſqueteer, who croſs'd the River, thinking to cut off both the Cornets; which Sir *Patrick Wymes* and Captain *Armſtrong*, being upon the top of the Caſtle, obſerving, did in prevention thereof get together ſo many of the Horſemen as were in the Quarter, and charged the *Rebels* there, in skirmiſh with the two Cornets, and forced them back over the River, kill'd one of their Horſemen, hurt divers of the reſt, kill'd all the Foot, and ſome were drowned in ſwimming back again.

In

In this Service Sir *Patrick Wymes* had his Horſe kill'd under him, and two of the Lieutenant-General's Troop were then ſhot. The ſame day in the Forenoon, the Lieutenant-General, accompanied with Sir *Charles Coote*, Sir *Thomas Lucas*, Colonel *Grauford*, Colonel *Monk*, and other Commanders, and divers Volunteers, with 200 Horſe, went to view the ſtrength of the Rebels, and in what manner they lay. Upon his Lordſhip's return to *Athy*, he immediately called a Council of War; and having there imparted his Obſervation, concerning the poſture of the Rebels, it was debated in Council, what reſolution was fitteſt to be taken; and conſidering that our Horſes were exceedingly haraſſed in their former long and troubleſome Marches, for relief of the ſeveral places before-mentioned; that many of the Soldiers were ſick; that our Victuals were very near ſpent; that our ſtore of *Munition* was much exhauſted, in furniſhing the ſeveral places we had relieved; that we had not heard from *Dublin*, nor they from us, ſince we marched thence, by reaſon that all the Ways were ſhut up by the Rebels, ſo that we knew not but there might be cauſe for haſting thither, to prevent inconvenience there; that we were much incumbred with the multitude of our Carriages, increaſed neceſſarily for carrying the Munition ſent for relief of the ſaid ſeveral Caſtles, and for carrying of our own Proviſion of *Bread*, leſt the want thereof might diſtreſs us abroad, where we were not ſure to be ſufficiently provided, and for carrying our *Sick Men*, and many poor unſerviceable *Engliſh*, whom we brought away from the Caſtles relieved; that the Forces of the Rebels lay upon a great advantage, and might at their pleaſure get from us into a Bogg, or Wood, both which lay very near them; that they might eaſily break down the Bridge of *Magainy*, formerly mentioned, which they had newly made up, and lay between both parts of their Forces: It was therefore reſolved in Council, That we ſhould not go to ſeek out any Enemy, eſpecially they being ſo numerous, and having thoſe other advantages of us, but would rather bend our Courſe towards *Dublin*; yet ſo, as if they hindred our March, we could not diſhonour His Majeſty's Army ſo, as to fly from thoſe Rebels; but would endeavour, by the aſſiſtance of God, to force our paſſage. 18 *Caroli.*

In purſuance of which Reſolution, we marched from *Athy*, on *Friday* the Fifteenth of this Month, by ſix of the Clock in the Morning; our numbers of able fighting Men (by reaſon of thoſe we had diſpoſed in ſeveral needful and apt Garriſons, and by reaſon of our ſick Men) not exceeding 2400 Foot, and about 400 Horſe: Whereupon the firſt ſetting forth were put into this order of Marching, Firſt, Cornet *Pollard* with 30 Horſe and 40 Firelocks, as *Avant-Curriers*, and a *Forlorn-Hope*. In the next place the *Baggage* belonging to the Horſe; then ſix Troops of Horſe, led by Sir *Thomas Lucas*, Commiſſary-General of the Horſe, in two Diviſions; then followed the Baggage of the Foot, and the *Ammunition-Waggons*; after it the Lieutenant-General with a Troop of Volunteers, commanded by Captain *Edmund Mathew*, wherein were the Lord *Dillon*, (eldeſt Son to the Earl of *Roſcommon*,) the Lord *Brabazon*, eldeſt Son to the Earl of *Meath*, Sir *Robert Farrer* Colonel, *John Barry* Sergeant-Major, *John Ogle*, and divers other Gentlemen of good Quality; after him followed diviſions of Foot, each conſiſting of about 300; then marched the Artillery, and the Ammunition belonging to it; after them four other Diviſions of Foot of 300 each; then three Troops of Horſe, commanded by Sir *Richard Greenvile*; the Reer of the Foot was commanded by Sir *Charles Coote*. When we had marched about a Mile in this Order, we diſcovered the Rebels

An. 1642. Rebels on the Right Hand of us, with all their ſtrength of Horſe and Foot, making all poſſible haſte to over-take us, or to prepoſſeſs a Paſſage near to *Balliſounan*, ſome five Miles from *Athy*, which Paſſage we could not avoid, having reſolved to Quarter at *Conniel*: Whereupon the Lieutenant-General cauſed the Pioneers to make Ways in the incloſed Grounds, that ſo the Foot might march in the Flank of the Baggage, as well for the ſecurity of it, as to avoid the cumber thereof, in caſe the light-arm'd Rebels ſhould fall ſuddenly upon us, and commanded our Cornet *Magragh*, with 300 Horſe, carefully to obſerve the Rebels March; and then he gave order to Sir *Thomas Lucas*, with all the Troops of Horſe that marched in the Van, (except his Lordſhip's own Troop, and the Volunteers,) and a Party of Fire-locks, to poſſeſs the foreſaid Paſſage, and to make it good, till all the Troops ſhould come thither; then his Lordſhip ſent out other Scouts, to bring in continually notice of the Motions and Approach of the Rebels. By that time we had marched about two Miles further, the Scouts came in, and brought intelligence, That the Rebels were on the other ſide of a Hill, that had for a good while hindred our ſight of them; and that they made extraordinary haſte to over-take us, or to poſſeſs themſelves of the Paſſage before us: Hereupon the Lieutenant-General haſtned on the Baggage, and gave the Conductors order to make no ſtand till it were gotten beyond that Paſſage.

The Battle of *Killruſh*, *April* 15. 1642. Preſently after this order given, he diſcovered divers of the Rebel's Colours draw up upon a Hill on the Right Hand; whereupon he inſtantly made a ſtand with the firſt four Diviſions of Foot, drew them up in order to fight, and faced the Rebels within two Musket's ſhot of them, leaving room for the other Troops of Horſe and Foot, according to the ground, and the order he had deſigned to draw them up in, having formerly ſent for them upon the firſt notice of the Rebels being ſo near us. In this order, and in expectation of the other Troops, we ſtood a while; the Rebels likewiſe, in the mean time, drawing up, and ordering their Troops; at length Sir *Charles Coote*, Sir *Thomas Lucas*, and Sir *Richard Greenvile* came, (with the Troops under their Command,) having by their diligence and circumſpection prevented the Meſſengers, (whom the Lieutenant-General had providently and with good judgment ſent for them,) and were by his Lordſhip immediately put into order.

In which order we advanced toward the Rebels, till by the interpoſition of a Hedge and hollow Way, ſome of the Troops were forced to go about, and then drew up again in the ſame order on the other ſide of the Hedge, within almoſt Musket ſhot of the Rebels; then were ſent out Parties of Firelocks and Muſqueteers to begin the fight. After they had given Fire for a good ſpace upon the Rebels, and the Rebels upon them, Sir *Thomas Lucas* with all the Troops on the Left Wing, *viz.* his own Troop, Captain *Armſtrong*'s, and the Earl of *Ormond*'s (which laſt was commanded by Sir *Patrick Wymes*, and led by Sir *Thomas Lucas*) followed, by the other Diviſion, wherein Sir *George Wentworth*'s, commanded by Captain *Harman*; Sir *Charles Coote*'s by Lieutenant *Devalier*, and the Lord Lieutenant's by Captain *Tarner*, who commanded that Diviſion, marched up in order towards two Bodies of the Rebels, conſiſting of 3000, with a Troop of Horſe on each Wing of the Rebels Diviſions, they in the mean time giving Fire in his Face; and the other two Bodies that were on the Right Wing, conſiſting of 5000, doing the like on his left Flank. When he was gotten within leſs than Carabin-ſhot of them, divers of

our

19 *Caroli.*

our Horſe and Men that were with him being hurt, he haſtened and charged them up a good round Trot, and in the end routed them, and forced them to break themſelves and fly towards a Bogg, they leaving behind them divers of their Colours and Arms; Sir *Richard Greenvile* then with three Troops, *viz.* the Lord *Liſle's*, commanded by Captain *Terſwell*, his own Troop, and Captain *Scout's*, charged the Left Wing of the Rebel's Horſe, who were routed alſo, and betook themſelves to flight, as the others had done; during all which time our Foot gallantly advancing, gave Fire inceſſantly upon the Rebels. Our Horſe followed the Execution bravely, until by the mingling of our Men with theirs in the purſuit, it became neceſſary, for preſervation of our own, to forbear; and therefore the Lieutenant-General commanded them back. All this time the Body of 4000 of the Rebels, which was in the Right Wing of their Army, ſtood faſt and moved not; in which Wing the Lord *Mountgarrat*, and Colonel *Hugh Birne*, and divers others of the principal Rebels were, (as was told us by ſome Priſoners taken in the fight:) Againſt that Body, the Lieutenant-General with his Troop of Volunteers, and Sir *John Sherlock*, Lieutenant-Colonel of the Lord *Lambert's* Regiment, with a Diviſion of 300 Foot, advanced, and ſent out 60 Musketeers, who gave Fire upon the Rebels, and the Rebels on them, and on the Lieutenant-General with the Volunteers; but in concluſion, that Body which of all the Rebels had the confidence to ſtand longeſt, having ſeen all the reſidue of their Army routed, and the Execution ſo ſharply followed, began to break; but being by their Officers *rallied* again, they gave Fire once more on the Lieutenant-General and thoſe 300 Foot of ours, who returned back to the Rebels, ſuch Volleys of ſhot, as they choſe rather to betake themſelves to flight; yet diſguiſing it by a ſeeming orderly retreat, until they got to the top of a Hill near them, and then they began to run with all ſpeed poſſible to a Bogg, whither all the reſt of the Rebels, formerly routed, had betaken themſelves, and where their Horſemen had run their Horſes into the Boggs, and there forſook them, and betook them to their Heels, and thither they were purſued moſt fiercely by our Horſe and Foot, who were ſo forward and fierce in following the Execution, as the Lieutenant-General had much difficulty to keep them from following even into the *Bogg*, and no leſs difficulty to get them to retreat; but in the end they were perſwaded to retire, and then the Lieutenant-General, aſſembling the Army, commanded *to Prayers*; and his Lordſhip (as did alſo all the reſt) gave God *Publick Thanks* for that Victory againſt thoſe Rebels, whoſe Numbers did as far exceed ours, as our Men did theirs in Judgment, Valour and Reſolution. In that Battle were ſlain of the Rebels above ſeven hundred and amongſt them many Colonels and Captains, and Men of Quality, amongſt which there was the Lord of *Dunboyn's* Brothers, and the Lord of *Ikerni's* Son's, and Colonel *Cavenagh's* Heads brought by the Soldiers to the Lieutenant-General. There were not above twenty of our Men ſlain, and about forty hurt, ſome of whom dyed afterwards. The Enemy loſt 20 Colours, many Drums, all their Powder and Ammunition, the Lord *Mountgarrat* (who commanded them in chief,) his Wain drawn by 8 Oxen, where all Proviſion was, as alſo his and the Lord *Ikerni's* Sumpter-Horſes. The Lieutenant-General in this important ſervice, did in his own Perſon order the Battle, and manner of Fight, in all the parts of it, with very great Judgment, laid hold quickly and ſeaſonably on all opportunities of advantage that could be gained, and ſpared not reſolutely to expoſe his own Perſon to hazard, equally with any other Commander. Sir

Seven hundred Rebels ſlain.

An. 1642.

Sir *Thomas Lucas* manifeſted great Courage, and very judicious Conduct, and the Officers led by him gave good Teſtimonies of Alacrity, and undaunted Reſolution; as alſo did Sir *Charles Coote*, Colonel *Grauford*, Colonel *Monk*, Lieutenant-Colonel *Loftus*, Sergeant-Major *Warren*, Sergeant-Major *Peageat*, Sergeant-Major *Willoughby*, that led on the Foot; and likewiſe Sir *Richard Greenvile*, that commanded the Right Wing of the Horſe, and the Officers under his Command, and indeed all the Officers, and even the common Soldiers acquitted themſelves exceedingly well and commendably. The Van of our Army lay that Night at old *Connel*, the reſt on the *Corrough* of *Kildare*, all in open Field; and on the 17th arrived at *Dublin*, where they were received with great Joy and Honour.

Amongſt others the Rebels had beſieged the Lady *Offalia*, of the Houſe of *Kildare*, and Relict of Sir *Robert Digby*, in her Caſtle of *Gheſhel*, in the *King's-County*: To whom they ſent this Summons.

The Rebels Summons to the Lady *Offalia*.

Honourable,

WE *His Majeſty's Loyal Subjects being at preſent imployed in His Highneſs's Service, for the taking of this your Caſtle; you are therefore to deliver unto us free poſſeſſion of your ſaid Caſtle; promiſing faithfully, That your Ladyſhip, together with the reſt in the ſaid Caſtle reſiant, ſhall have a reaſonable Compoſition: Otherwiſe upon your not yielding of the Caſtle, we do aſſure you, That we will burn the whole Town, kill all the Proteſtants, and ſpare neither Man, Woman, or Child, upon the taking the Caſtle. Conſider, Madam, of this our offer, and impute not the blame of your own Folly unto us; think not that here we brag; your Ladyſhip upon ſubmiſſion ſhall have a ſafe Convoy to ſecure you from the Hands of your Enemies, and to lead you where you pleaſe.*

A ſpeedy Anſwer is deſired with all Expedition; and thus we ſurceaſe.

Henry Dempſy. Andr. Fitz-Patrick.
Con. Dempſy. John Viccars.
Charles Dempſy. James Mac-donnel.
Philem Dempſy.

To which ſhe returned this brave and prudent Anſwer.

For her Couſin *Henry Dempſy*, and the reſt.

Her Gallant Anſwer.

I *Received your Letter, wherein you threaten to ſack this my Caſtle, by His Majeſty's Authority. I am, and ever have been, a Loyal Subject, and a good Neighbour amongſt you, and therefore cannot but wonder at ſuch an Aſſault. I thank you for your Offer of a Convoy, wherein I hold little ſafety; and therefore my Reſolution is, That being free from offending His Majeſty, or doing wrong to any of you, I will live and die innocently, and will do my beſt to defend my own, leaving the Iſſue to God: And though I have been, and ſtill am, deſirous to avoid the ſhedding of Chriſtian Blood; yet being provoked, your Threats ſhall no whit diſmay me.*

Lettice Offalia.

Sidney Lord Viſcount *Liſle* relieves her.

Philip Sidney Lord Viſcount *Liſle*, eldeſt Son to the Earl of *Leiceſter*, Lord Lieutenant of *Ireland*, being newly arrived and made Lieutenant of the Horſe, undertook to relieve this good Lady, and march'd thither with Sir *Charles Coote*, and 120 Foot and 300 Horſe, upon

upon whoſe approach the Rebels left the Caſtle, and durſt not fight, but only skirmiſh'd now and then from their Boggs. My Lord in his way took in the ſtrong Fort of *Philips-Town* in the *King's-County*, and in their return poſſeſſed themſelves of the Town of *Trim*, without loſs of a Man; and leaving Sir *Charles Coote* there, the Enemy in the dead of the Night, with 3000 Men, endeavoured to ſurprize him; Sir *Charles* was the firſt took the Alarm, and charged them but with ſeventeen Horſe, and being ſoon reinforced with more, routed them; but as he was encouraging his Men to purſue them, was unfortunately ſlain. After whoſe Death, and Sir *Simon Harcourt's*, (ſome obſerve *) the fate of the *Engliſh* Intereſt in *Ireland* ſeem'd eclipſed.

18 *Caroli.*

Sir *Charles Coote* ſlain.

* Diſmal Effects of the *Iriſh* Inſurrection, *fol.* 80.

The Forces in *Connaught* (which might have ſubdued that whole Province) were kept by the Lord Preſident, the Earl of *R.*, all the Summer idle, upon ſhort and unwholſome Commons, whereby they generally became weak and diſeaſed, and many of them were famiſh'd; and yet when at laſt they were called to Action at the Battle of *Balintober*, they did good Service, and routed the Enemy; but that Victory not being purſued, the advantages of it were loſt: An Attempt was alſo made on *Galloway*, but without ſucceſs. The Soldiers were ready to Mutiny, and the Ships that Guarded the Coaſts being drawn off, there came in preſently after great quantities of Arms and Ammunition at *Wexford*, and divers *Iriſh* Commanders, as *Preſton*, *Cullen*, *Plunket*, and others, that had been Colonels in *France*, whereby the Rebels were much encouraged.

Idem Ibidem.

In *Munſter* the Lord *Broghill* did excellent ſervice, and at the Battle near *Cappaquin*, *July* 3. 1642. routed the Rebels, and ſlew 200 of them, with the loſs of but one of his own Men. And on the 21. of *Auguſt* took the Caſtle of *Ardmore* in the County of *Waterford*, being yielded on Diſcretion; the Women and Children were ſpared, but the Men (in number 140) put to the Sword.

Lord *Broghill's* Exploits.

On the firſt of *July* Sir *Frederick Hamilton* entred the Town of *Sligoe* and burnt it, freed many Proteſtants, ſlew in the Streets 300 *Iriſh*, and in his return encountred *Owen O-Rock*, who in the Interim from *Cavan* beſieged his Caſtle with 1000 Men, whom he beat off with great loſs.

In *April* 1642. Sir *William St. Leger*, Lord Preſident of *Munſter*, a brave prudent Gentleman, and hearty Proteſtant, dyed at his Houſe 4 Miles from *Cork*. In whoſe place ſucceeded the Lord *Inchequin*, (a Native *Iriſh*-man, but bred a Proteſtant,) who had Married his Daughter; and beat the Rebels at *Liſcarrol* in the County of *Cork*, *Sept.* 3. 1642. *

In *May* 1642. the Rebels finding their ſtrength much augmented by the unhappy Differences then increaſing in *England*, the chief Contrivers of the Conſpiracy, *their Clergy*, met at *Kilkenny*, and there drew up the Articles following for their future Government.

An. 1642.

In the Name of the Holy TRINITY, the FATHER, SON, and HOLY GHOST. *Amen.*

Acts agreed upon, ordained, and concluded in the general Congregation held at Kilkenny *the* 10*th*, 11*th*, *and* 13*th*, *days of* May, 1642. *by thoſe Prelates whoſe Names are ſubſcribed, the Proctors of ſuch other Prelates as then were abſent being preſent, together with the Superiours of the Regulars, and many other Dignitaries and Learned Men, as well in Divine as alſo in Common-Law, with divers Paſtors and others of the Catholick Clergy of all* Ireland, *whoſe Names are likewiſe hereafter ſet down.*

Articles agreed on by the Popiſh Synod at *Kilkenny*, *May* 1642.

I. WHereas the War, which now in *Ireland* the Catholicks do maintain againſt Sectaries, and chiefly againſt Puritans, for the Defence of the Catholick Religion, for the maintenance of the Prerogative, and the Royal Rights of our Gracious King *CHARLES*; for our Gracious QUEEN, ſo unworthily abuſed by the Puritans; for the Honour, Safety and Health of Their Royal Iſſue; for to avert and refrain the Injuries done unto them; for the conſervation of the juſt and lawful Safeguard, Liberties, and Rights of *Ireland*; and laſtly, for the defence of their own Lives, Fortunes, Lands and Poſſeſſions. Whereas, I ſaid, this War is by the Catholicks undertaken for the aforeſaid Cauſes, againſt unlawful Uſurpers, Oppreſſors, and their Enemies, chiefly Puritans: and that hereof we are informed, as well by divers and true Remonſtrances of divers Provinces and Counties, of Noblemen, as alſo by the unanimous Conſent and Agreement of almoſt the whole Kingdom in this War and Union. We therefore declare that War, openly Catholick, to be lawful and juſt; in which War, if ſome of the Catholicks be found to proceed out of ſome particular and unjuſt Title, Covetouſneſs, Cruelty, Revenge, or Hatred, or any ſuch unlawful, private intentions, We declare them therein grievouſly to ſin, and therefore worthy to be puniſhed and reſtrained with Eccleſiaſtical Cenſures, if (adviſed thereof) they do not amend.

II. Whereas the Adverſaries do ſpread divers Rumours, do write divers Letters, and under the King's Name do print Proclamations, which are not the King's, by which means divers Plots and Dangers may enſue unto our Nation: We therefore, to ſtop the way of Untruth, and Forgeries of the Political Adverſaries, do Will and Command, That no ſuch Rumours, Letters, or Proclamations may have place or belief, until it be known in a National Council, whether they truly proceed from the King left to his own freedom, and until the Agents of this Kingdom, hereafter to be appointed by a National Council, have free paſſage to His Majeſty, whereby the Kingdom may be certainly informed of His Majeſty's Intention and Will.

III. Whereas no Family, City, Commonwealth, much leſs any Kingdom, may ſtand without Unity and Concord, without which this Kingdom for the preſent ſtandeth in moſt danger, we think it therefore neceſſary, that all *Iriſh* Peers, Magiſtrates, Noblemen, Cities and Provinces, may be tied together with the holy Band of Union and Concord, and that they frame an Oath of Union and Agreement, which they ſhall devoutly and chriſtianly take, and faithfully obſerve.

And

And for the Conſervation and Exerciſe of this Union, we have thought fit to ordain the enſuing Points. 19 *Caroli.*

IV. We ſtraitly command all our Inferiours, as well Church-men as Lay-men, to make no diſtinction at all between the old and ancient *Iriſh*, and no alienation, compariſon, or differences between Provinces, Cities, Towns, or Families; and laſtly, not to begin or forward any Emulations or Compariſons whatſoever.

V. That in every Province of *Ireland* there be a Council made up both of Clergy and Nobility; in which Council ſhall be ſo many perſons at leaſt as are Counties in the Province, and out of every City or notable Town two perſons.

VI. Let one General Council of the whole Kingdom be made, both of the Clergy, Nobility, Cities, and notable Towns; in which Council there ſhall be Three out of every Province, and out of every City One, or where Cities are not, out of the chiefeſt Towns: To this Council the Provincial Council ſhall have Subordination, and from thence to it may be appealed, until this National Council ſhall have opportunity to ſit together. Again, if any thing of great importance do occur, or be conceived in one Province, which by a Negative Vote is rejected in the Council of one Province, let it be ſent to the Council of one of the other Provinces, except it be ſuch a matter as cannot be delayed, and which doth not pertain to the Weal-publick of the other Provinces.

VII. Embaſſage ſent from one Province to Foreign Nations, ſhall be held as made from the reſt of the Provinces, and the fruit and benefit thereof ſhall be imparted and diuided between the Provinces and the Cities which have more need thereof; chiefly ſuch helps and fruits as proceed from the bountiful Liberality of Foreign Princes and States, Prelates, or others whatſoever; provided always, that the Charge and Damage be proportionably recompenced.

VIII. If there be any Province which may not conveniently ſend Embaſſage from it ſelf unto Foreign Nations, let it ſignifie it to another Province, which may conveniently ſupply it, and ought, in regard of their Union, to ſupply it according to the Inſtructions ſent from the other Provinces, concerning the place and Princes to which they would have their Embaſſage employed.

IX. Let a faithful Inventory be made in every Province of the Murthers, Burnings, and other Cruelties, which are committed by the Puritan Enemies, with a quotation of the Place, Day, Cauſe, Manner, and Perſons, and other Circumſtances ſubſcribed by one of publick Authority.

X. In every Pariſh let a faithful Meſſenger be appointed, whereby ſuch Cruelties and other Affairs may be written and ſent to the neighbouring places, and likewiſe from one Province to another, let ſuch things be written for the Comfort, Inſtruction, and Carefulneſs of the People.

XI. Great Men taken Priſoners in one Province, may not be ſet at liberty for any Price, Prayers, or Exchange, without the conſent of the Prelates and Nobility of the other Provinces united; and let every Province be careful of the Liberties of ſuch Priſoners as are ſent from the other Provinces, as far as it conveniently may.

XII. If any one ſtubborn or dangerous be found in one Province, County, or Town, let him be ſent to another Province, County, or Town, where he may be ſafely kept, and (with leſs danger or loſs of others) remain.

An. 1643.

XIII. Whoſoever ſhall be declared in one County or Province, Adverſary or Traytor of this Cauſe and Country, ſhall likewiſe be held and puniſhed in other Counties and Provinces where he ſhall be found; and ſuch as receive or favour him, or be his Meſſengers, knowing his Miſdemeanour, ſhall be liable to ſuch puniſhment as the Traytor himſelf.

XIV. We command and ordain, as a main point pertaining to this Union, That no Province, County, City, Town, or Perſon whatſoever, ſhall demand Peace, or ſubmit himſelf to the Enemies, without the conſent of the General Council of the whole Kingdom; and that under pain of Excommunication to be incurred *ipſo facto*. And for further force of this Statute to be obſerved, we will, That in every Province a firm Oath be taken by the Peers, Nobility, Corporations, and Commonalty of every Province, and thereupon a publick and authentical Inſtrument be made; And that every Province do ſend into every other Province an Inſtrument ſubſcribed, with the proper Hands of ſuch as have taken this Oath, for the aſſurance of their Oaths; and whoſoever ſhall refuſe to take this Oath, let him be held as an Adverſary of the Common Cauſe, and of the Kingdom, and let him be puniſhed as ſuch, as hereafter ſhall be declared, except he be excuſed for the Reaſons hereafter to be ſet down.

XV. The Ordinaries of every place, the Preachers, Confeſſors, Pariſh-Prieſts, and other Church-men, ſhall endeavour to ſee perfect Peace and Charity obſerved between Provinces, Counties, Cities, and Families, as the Obligation of this Union requireth.

XVI. Such Goods, as well movable as unmovable, pertaining to Catholicks, as were recovered from the Enemies by this preſent War, ſhall be reſtored to their former Owners; provided, that ſuch neceſſary and reaſonable Charges ſhall be paid, as the next General or Provincial Council, or Committees of the County where the parties dwell, ſhall decree.

XVII. Whereas divers perſons do diverſly carry themſelves towards this Cauſe; ſome with Helps and Supplies do aſſiſt the Adverſaries, others with Victuals and Arms, others with their Advice and Authority, ſupporting as it were the contrary Cauſe; ſome alſo as Neuters behaving themſelves; and others, laſtly, neglecting their Oath, do forſake the Catholick Union and Cauſe. We do therefore declare and judge all and every ſuch as do forſake this Union, do fight for our Enemies, accompany them in their War, defend, or in any other way aſſiſt them, as giving them Weapons, Victuals, Counſel, or Favour, to be Excommunicated, and by theſe preſents do excommunicate them; provided, that this preſent Decree ſhall be firſt publiſhed in every Dioceſe reſpectively; and having received admonition before-hand, which ſhall ſupply the treble admonition otherwiſe requiſite, as we do hereby declare, ſo it be made in a place where it may eaſily come to the knowledge of thoſe whom it toucheth. But as touching the Judgment and Puniſhment of the Neuters, we leave it to the Ordinaries of every place reſpectively, ſo that the Ordinaries themſelves be not contrary to the Judgment and Opinion of this Congregation; in which Cauſe we commit Power to the Metropolitans or Archbiſhops to proceed againſt ſuch Ordinaries, according to the common Courſe of Law, wherein they are to be very careful and ſpeedy: And if the Metropolitans be found herein careleſs or guilty, let them be liable to ſuch puniſhments as is ordained by the Holy Canons, and let them be accuſed to the See-Apoſtolick.

XVIII. We

19 *Caroli.*

XVIII. We ordain and decree, That all and every ſuch as from the beginning of this preſent War have invaded the Poſſeſſions of Goods, as well movable as unmovable, Spiritual or Temporal, of any Catholick, whether *Iriſh* or *Engliſh*; or alſo of any *Iriſh* Proteſtant being not Adverſary of this Cauſe; and do detain any ſuch Goods, ſhall be Excommunicated; and by this preſent Decree we do excommunicate them, if, admoniſhed, they do not amend: and with the like Cenſure, we do bind ſuch as henceforward ſhall invade or detain ſuch Goods; and not only them, but alſo all and every ſuch as ſhall keep Lands or Poſſeſſions againſt publick Authority, as alſo ſuch as favour or aſſiſt them therein. And we declare involved in this Cenſure all and every of them, who directly or indirectly hinder or forbid to pay their due Rents unto ſuch as have poſſeſſed the ſaid Lands, from the beginning of this War; and ſuch likewiſe as, without the licenſe of ſuch Poſſeſſors, do take or extort Rents or equivalent Payment from the Tenants of ſuch Poſſeſſors, under colour of paying Soldiers therewith, or otherwiſe.

XIX. We command all and every the Church-men, as well Secular as Regular, not to hear the Confeſſions of the aforeſaid Excommunicated perſons, nor to adminiſter unto them the Holy Sacrament, under pain of Excommunication *ipſo facto*.

XX. We will and declare all thoſe that Murther, Diſmember, or grievouſly ſtrike; all Thieves, Unlawful Spoilers, Robbers of any Goods, Extorters; together with all ſuch as favour, receive, or any ways aſſiſt them, to be Excommunicated, and ſo to remain until they compleatly amend and ſatisfie no leſs than if they were namely proclaimed Excommunicated: And for ſatisfaction of ſuch Crimes hitherto committed to be enjoined, we leave to the diſcretion of the Ordinaries and Confeſſors how to abſolve them.

XXI. Tradeſmen, for making Weapons or Powder brought into this Country, or hereafter to be brought in, ſhall be free from all Taxations and Cuſtoms; as alſo all Merchants that ſhall tranſport into this Country ſuch Wares as are profitable for the Catholick Cauſe, as Arms and Powder, may lawfully traffique without paying any Cuſtoms for Commodities brought out of this Kingdom, or tranſported hither of that kind. And let this be proclaimed in all Provinces, Cities, and Towns.

XXII. We think it convenient, that in the next National Congregation ſome be appointed out of the Nobility and Clergy as Ambaſſadors to be ſent in the behalf of the whole Kingdom unto the Kings of *France* and *Spain*, to the Emperour, and his Holineſs; and thoſe to be of the Church Prelates, or one of the Nobility, and a Lawyer.

XXIII. We will and ordain, That Ordinaries, Dignitaries, and other Proprietors of Church-livings, with the aſſiſtance of the Colonel, or ſome other of the prime Gentlemen of the County, Barony, or Pariſh, as the Ordinary and Dignitaries or Proprietors ſhall appoint, do ſet unto Tenants, the Lands, Houſes, Tenements and Tithes, and other Church-livings; and let competent means be appointed for the Maintenance of the ſaid Ordinaries, Dignitaries, and Proprietors; and the reſt to be appointed for the Soldiers, unleſs it be otherwiſe Ordained.

XXIV. Collectors and Receivers of the Rents of Church-livings ſhall be appointed by the Ordinaries, with the conſent of the Proprietors, in the preſence of the chiefeſt Gentlemen of every County, Barony, or Pariſh reſpectively.

XXV. The

An. 1642.

XXV. The Ordinaries and other Proprietors of Church-livings, may take unto themſelves the Houſes, Tenements, and other Church-goods pertaining unto their reſpective Titles, with Obligations to pay proportionable Rent unto the Soldiers as aforeſaid, or his payment of their own competent Maintenance; and let the Houſes, Tenements, and other Church-goods, be taken from the Catholicks, who heretofore had them as Tenements or otherwiſe.

XXVI. It is committed to the will and diſpoſition of the Ordinary, whether and when to enter into the Churches, and celebrate Maſſes therein. We command all and every the General, Colonels, Captains, and other Officers of our Catholick Army to whom it appertaineth, That they ſeverely puniſh all Tranſgreſſors of our aforeſaid Command, touching Murtherers, Maimers, Strikers, Thieves, Robbers; and if they fail therein, we command the Pariſh-Prieſts, Curates or Chaplains reſpectively, to declare them Interdicted; and that they ſhall be Excommunicated, if they cauſe not due ſatisfaction to be made unto the Commonwealth, and the party offended. And this the Pariſh-Prieſts or Chaplains ſhall obſerve, under pain of Excommunication of Sentence given *ipſo facto*.

XXVII. To the end that theſe Acts, Propoſitions and Ordinances may have more happy ſucceſs: We thought it fitting to have recourſe unto God Almighty, by Prayers, Faſtings, and Alms; We therefore will pray, and, as far as it is needful, do command, That every Prieſt, as well Secular as Regular, do celebrate one Maſs a Week, and that all Lay-men do faſt upon *Wedneſday*, *Friday*, and *Saturday* in one Week, and thence forward one day a Week; and upon that *Wedneſday* or *Saturday*, as long as the Ordinary ſhall pleaſe; and that they pray heartily unto God for the proſperous Succeſs of this our Catholick War; for which they ſhall gain ſo many Days of Indulgences as every Prelate ſhall publiſh in their ſeveral Dioceſes reſpectively after the Faſt of the aforeſaid three Days in one Week, having firſt Confeſſed, and received the Bleſſed Sacrament, and beſtowed ſome Alms to this effect.

XXVIII. In every Regiment of Soldiers, let there be appointed at leaſt two Confeſſors and one Preacher, to be named by the Ordinaries, and by the Superiours of the Regulars, whoſe competent Maintenance we commend and command to every Colonel in their reſpective Regiments. And to the end that all theſe Ordinances and Statutes may effectually be put in execution, we will and decree, That all Archbiſhops, Biſhops, Apoſtolical Vicars, and Regular Superiours, as well here preſent as abſent, may be very ſerious and careful of the Execution of the aforeſaid, as they tender not to incur Diſpleaſure, Wrath, and Revenge; and herewith we charge their Conſciences.

XXIX. Moreover we pray and require all Noblemen, Magiſtrates, and all other Marſhal Commanders, That with their Helps and Secular Forces they aſſiſt and ſet forward in Execution the aforeſaid Statutes in their ſeveral Precincts reſpectively, as often as it ſhall be needful.

If in any of the aforeſaid Statutes any doubt or difficulty may by chance ariſe, the Explication thereof we reſerve to the Metropolitans in every Province reſpectively, and to the Biſhops in every of their Dioceſes, ſuch of them as are no way contrary to this Cauſe; no other perſon may preſume to expound the aforeſaid Difficulties.

Hæc

18 Caroli.

Hæc dicta Acta, Ordinata, & Statuta, subscripta erant nominibus sequentium Prælatorum.

All these Judgments, Sayings, Acts, and Covenants, we submit to the Judgment of the See-Apostolick.

Hugo *Archiepiscopus Armachanus.*
Thomas *Archiepiscopus Cassellensis.*
Malachias *Archiepiscopus Guamen.*
David *Episcopus Ossoren.*
Frater Boetius *Episcopus Elphinensis.*
Frater Patricius *Episcopus Waterforden. & Lismoren.*
Frater Rochus *Episcopus Kildaren.*
Johannis *Electus Claunfarten.*
Emerus *Electus Dunen. & Conoren.*
Frater Josephus Everard *Procurator Archiepiscopi Dublinensis.*
Doctor Johannes Creagh *Procurator Episcopi Lymericen.*
David Bourck & Willielmus O Connel *Procuratores Episcopi Imolacen.*
Donatus O Tearnon *Procurator Episcopi Laonen.*
Doctor Dionysius Harty *Decanus Laonensis.*
Doctor Michael Hacket *Vicar. Gener. Waterforden.*
Gulielmus Devocer *Vic. Gener. Fernesen.*
Thomas Roch *Vicar. Generalis Ossoren.*
Frater Lucas Archer *Abbas Sanctæ Crucis.*
Frater Antonius de Rosario *Ord. Præd. Vicar. Provincial.*
Robertus Nugent *Societat. Jesu in Heb.*
Frater Thaddæus Connoldus *Ang. pro Provinc.*
Johannes Waringe *Decanus Lymericen.*
Frater Particius Darcye *Guardian. Dublin.*
Frater Thomas Strange *Guardian. Waterford.*
Frater Thomas Langton *Prior Kilkenny.*
Frater Thomas Tearnon *Guard. de Dundalk.*
Frater Boetius Egnanus *Guard. Buttevant.*
Jordanus Bourek *Archidiaconus Lymericensis.*

A Com-

An. 1642.

A Commiſſion from the Lords Juſtices of Ireland, *to Diſarm all Papiſts,* 9 Sept. 1642.

Commiſſion to diſarm all Papiſts in *Ireland.*

CHARLES, by the Grace of God King of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, *&c.* To Our well-beloved Our Mayor of the City of *Dublin* for the time being, Sir *William Anderſon* Knight, Sir *Chriſtopher Forſter* Knight, Sir *William Uſher* Knight, Sir *Philip Percival* Knight, *John Byſſe* Eſq; Recorder of Our City of *Dublin*, *Richard Barry* of *Dublin* Alderman, *Charles Forſter* of *Dublin* Alderman, *William Smith* of *Dublin* Alderman, *William Bladen* of *Dublin* Alderman, *William Plunket* Eſq; Captain *Theodore Schout*, *Robert Savill* Serjeant at Arms, *Matthew Ford*, *Anthony Dopping*, Captain *Philip Fernely*, *Robert Kennedy*, *John Woodcock*, *John Pue*, *Sankey Sulliard*, *Joſua Carpenter*, *Brian Jones*, *Thomas Tallis*, *William Rowls*, *Thomas Leigh*, *Thomas Hill*, *William Scott*, *Daniel Forſter*, *Richard Francis*, *Joſeph Hall*, *Daniel Adrian*, *Thomas Hooke*, *Frederick Panchart*, Captain *Balthazar Creamer*, *John Wogan*, *Randal Becket*, *James Smith*, *John Fiſher*, *Ralph Bryen*, *Richard Stone*, *Robert Davies*, *Ralph Wallis*, *Daniel Hutchiſon*, *Peter Wybrant*, *John Hill* Merchant, *John Norris*, *Thomas Hawkins*, *Thomas Windall*, *Nathanael Neve*, and *Robert Scarborow*, Greeting. Whereas We have taken into Our Princely conſideration the ſtrange and unuſual concourſe of Papiſts to Our City of *Dublin* and the Suburbs thereof; ſome of them not having formerly dwelt there, and others of them (as well Maſters of Families as Servants) having formerly dwelt there, but withdrew themſelves into the Country for a time ſince the preſent Rebellion began, and of late returned again to the ſaid City and Suburbs, and there all of them now continue as Inhabitants or Sojourners, not only to the needleſs and exceeding great Burden of the Inhabitants, and diſappointment of the Soldiers, as well in their Lodging, as in the raiſing of the Price of Meat and other needful Proviſions, but alſo to the terrour of many of Our good and loyal Subjects inhabiting in this City and Suburbs thereof, as well in reſpect of the numbers of thoſe Papiſts, as in the Advantages obſerved to be daily thereby gained to the Rebels, as well in frequent Intelligences from Our ſaid City, as in Supplies of needful Proviſions from thence from time to time. And foraſmuch as in theſe times of open Rebellion, when the Rebels appear in all parts of this Our Kingdom in open Arms, with Banners diſplayed againſt Us and Our Royal Authority, We are neceſſitated to take ſome extraordinary way whereby to free Our ſaid City and good Subjects therein from the Fears and Dangers threatned againſt Us and them, and againſt the Peace and Safety of this Our Kingdom, by that unlimitted concourſe of people flocking ſo dangerouſly to Our ſaid City and Suburbs, and for reformation of ſundry other Abuſes and Diſorders in Our ſaid City of *Dublin* and the Suburbs thereof.

Know Ye therefore, That We, repoſing ſpecial Truſt and Confidence in your fidelity and circumſpection, have nominated, conſtituted and appointed, and by theſe preſents do nominate, conſtitute and appoint You to be Our Commiſſioners. And do hereby give unto you, or any Two or more of you, full Power and Authority from time to time, and, as often as You, or any Two or more of you ſhall think fit, to repair to all and every part of the ſaid City and Suburbs; and there, as well by Examination of Witneſſes upon Oath, which Oath and Oaths We hereby authorize You, or any Two or more of you, to adminiſter, when, and as often as You, or any Two or more of you, ſhall from time to time think fit, as by all other lawful ways and means whatſoever, to examine, ſearch for, enquire, and find out what Arms or Munition are or ſhall be remaining in any Houſe, Houſes, or other place or places in the ſaid City or Suburbs belonging to any Papiſts, or in the Houſe or Houſes of Proteſtants whoſe Wives and Children are Papiſts. And the ſame ſo found out, to enquire how, when, and where he or they came by them, and all other matters touching and concerning the ſame, which You, or any Two or more of you, ſhall think fit.

And it is Our pleaſure, and We do accordingly require and authorize You, or any Two or more of you, to ſeize upon, and take into your hands, or the hands of any Two or more of you, all the ſaid Arms and Munition, as alſo all the

Arms

Arms of what kind ſoever, which You, or any Two or more of you, ſhall find any Papiſt carrying about him, either in his Houſe or Dwelling, or abroad in the Streets, whether he or they be commorant in Town, or Traveller to or from the ſaid City or Suburbs; Giving the Party from whom the ſame ſhall be ſo taken, a Note in writing under the hands of You, or any Two or more of you, mentioning the particulars and quantity of Arms or Munition, or both ſo to be taken from him, her, or them, to Our Uſe; and that thereupon You, or any Two or more of you, cauſe the ſame to be delivered forthwith after you ſhall ſo ſeize the ſame into Our Store of Arms and Munition at Our Caſtle of *Dublin*, taking the Clerk of the Stores Hand for receipt thereof, which ſhall be a good Diſcharge for you againſt your ſaid Note or Notes formerly given. 18 *Caroli.*

And We alſo require and authorize You, or any Two or more of you, as well by Examination of Witneſſes upon Oath, as by all other lawful ways and means whatſoever, to examine, ſearch, enquire, and find out what Titulary Popiſh Archbiſhops, Biſhops, Vicars General, Jeſuits, Prieſts, or Friars, or other ſuperſtitious Orders of the Popiſh pretended Clergy, are, or ſhall be in and about the ſaid City or Suburbs; and them to apprehend and commit to Priſon, there to remain until further direction from Us, or Our ſaid Juſtices, or other Our chief Governour or Governours, and Council of this Our Kingdom.

And in like manner to examine, ſearch, enquire, and find out, what Men and Women that are Papiſts, and what Papiſts Children, of what Quality or Degree ſoever he or they be, have come to the ſaid City or Suburbs to reſide, ſojourn, or any way to continue therein, ſince *Eaſter* laſt; where they now lodge, and ſince their coming to Town have lodged, either in the Houſes of Papiſts or Proteſtants; what their Names and Sirnames, and of what Sept or Kindred they be; whence they came; what occaſions called them thither; what now detains them there; and all other matters concerning their being there, which You, or any Two or more of You, ſhall think fit. And then that You, or any Two or more of you, do command ſo many of them as You, or any Two or more of you ſhall think fit, to depart from the ſaid City and Suburbs, within ſo many hours as to You, or any Two or more of You, ſhall be thought fit; and not to return back to the ſaid City or Suburbs, without ſpecial licenſe from Us, or Our Juſtices, or other chief Governour or Governours of this Our Kingdom for the time being. And to enjoin all thoſe in whoſe Houſe or Houſes, either Papiſts or Proteſtants, ſuch perſon or perſons ſo to be commanded away do or ſhall lodge, ſojourn or live, that they or any of them preſume not thereafter to entertain them or any of them into his or their Houſe or Houſes, as they will anſwer their ſo doing at their extreme peril.

And We do alſo require You, or any Two or more of you, to cauſe two Books to be made up, and in one of them to cauſe to be inſerted in writing the Names, Sirnames, and Qualities of all Men and Women, ordinarily Town-dwellers in Our ſaid City or Suburbs, as well Maſters of Families as Servants, that are Papiſts; and in the other Book to cauſe to be inſerted the Names, Sirnames, and Qualities of all Men and Women whom you ſhall ſo command to depart from this City and Suburbs; and in another part of that Book to inſert the Names, Sirnames, and Qualities of all ſuch Men and Women that are Papiſts, whom you admit to ſtay, and expreſſing at their Names for what time their ſtay is admitted, that ſo you may upon a new ſearch (wherein We require you to be diligent and frequent) find out whether or no they have exceeded the time limited for their ſtay.

We do alſo require and authorize You, or any Two or more of you, to charge and command all perſon or perſons whatſoever in the ſaid City and Suburbs, in whoſe Houſes any ſuch perſon or perſons formerly lodged, ſojourned, or lived, and to publiſh and declare to all others whom it may concern, That in caſe any of the ſaid perſons ſo to be commanded away, ſhall return again at any time to the ſaid City or Suburbs, or any other Men or Women whatſoever that are Papiſts, and not reſident continually in the ſaid City and Suburbs, without any late intermiſſion, ſince the firſt of *October* laſt, ſhall hereafter come to the ſaid City or Suburbs, that then the perſon or perſons to whoſe Houſe or Houſes he, ſhe, or they ſo returning, ſhall return or come, do from time to time, and as often as any ſuch ſhall happen, within two hours after

An. 1642. the receipt or entertainment into his, her, or their Houſe or Houſes, of any ſuch perſon or perſons, return under his, her, or their hands, unto Two or more of you, the Names, Sirnames, Qualities and Conditions of all and every ſuch perſon or perſons ſo received, lodged, or entertained.

We likewiſe require and authoriſe You, or any Two or more of you, in like manner to examine what Victuals, Cloaths, Arms, Munition, or other Proviſions whatſoever, have been carried, or ſhall be carried out of the ſaid City or Suburbs for the relief of the Rebels, and by whom, or who were furtherers and privy thereunto, and what Townſmen or their Servants that are Papiſts, have been ſince *Eaſter* laſt admitted into any Horſe-Troop, or Foot-Company, or Ward in Our Pay; and by whom; and in whoſe Troop, Company, or Ward ſo admitted; and what Arms of any kind have, are, or ſhall be ſold by any Soldier, Horſe-man or Foot-man, to any Townſman or other Inhabitant in the ſaid City and Suburbs; and where the ſaid Arms now are; and what Maſters or Miſtreſſes of Families or Servants that are Papiſts, that formerly reſided in the ſaid City and Suburbs, have between the three and twentieth of *October* and the firſt of *April* laſt withdrawn themſelves into the Country, and having continued there a while, returned again to live in the ſaid City and Suburbs. And if, upon Examination, You, or any Two or more of you, ſhall find them, or any of them, to have been with the Rebels, to cauſe all ſuch to be apprehended and committed to Priſon, and to certifie their Names under the Hands of You, or any Two or more of you, to Our Juſtices, or other Our chief Governour or Governours and Council of this Our Kingdom; and what elſe ſhall appear unto you concerning them.

And We alſo require and authorize You, or any Twelve or more of you, to view all the Thatch'd Houſes and Cabins in and about the ſaid City and Suburbs, and to give ſix days warning to the Poſſeſſors of ſuch the ſaid Thatch'd Houſes and Cabins, as You, or any Twelve or more of you, ſhall find to be dangerous to the Safety of the ſaid City and Suburbs, and therefore ought neceſſarily to be removed or pulled down, to remove or pull them down: Wherein if they fail, then and in ſuch caſe, You, or any Twelve or more of you, are to cauſe ſuch of the Thatch'd Houſes and Cabins to be removed and pulled down, as You, or Twelve or more of you, ſhall find not to have been pulled down by the Poſſeſſors within the ſaid ſix days, according to the ſaid warning given.

And in caſe You, or any Two or more of you, ſhall find any perſon or perſons diſobedient to your Commands in and concerning the execution of the premiſes, or any part thereof, We do in ſuch caſe authorize You, or any Two or more of you, to commit to Priſon ſuch perſon or perſons, when, and as often as there ſhall be juſt Cauſe; and afterwards to releaſe ſuch perſon or perſons, when You, or any Two or more of you, ſhall think fit. And for the better and more full and due performance of theſe Services, It is Our pleaſure, and We do hereby authoriſe You, or any Two or more of you, as aforeſaid, to adminiſter from time to time an Oath or Oaths to any perſon or perſons, Witneſſes touching or concerning all or any the Points, Clauſes, Articles, Authorities or Commands in theſe preſents above-mentioned; And that You, Our Commiſſioners, do divide your ſelves in and throughout the ſaid City and Suburbs, into ſeveral limits, ſtreets and Pariſhes; and ſo to proceed in the execution of the premiſſes, either all together or ſeverally, as you ſhall find cauſe; And that you be frequent, at leaſt weekly, or oftner if you find cauſe, in the Searches, Examinations, and other Services by theſe preſents committed to your Truſt.

And we require all Mayors, Sheriffs, Juſtices of the Peace, and all other Our Officers, Miniſters, and loving Subjects whom it may concern; and particularly, all Colonels, Commanders, Officers and Soldiers of Our Army, to be unto You, or any Two or more of you, always aiding, helping, and aſſiſting in the due execution of the premiſſes from time to time, as there may be occaſion. And We require you from time to time to give an account of your Proceedings to Our Juſtices, or other Our chief Governour or Governours of this Our Kingdom for the time being. And this Our Commiſſion is to continue in force during Our pleaſure. Witneſſes Our Right Truſty and Well-beloved Councellors, Sir *William Parſons* Knight and Baronet, and Sir *John Borelaſe* Knight, Our Juſtices of Our ſaid Realm of *Ireland*. At *Dublin* the Ninth day of *September*, in the Eighteenth Year of Our Reign.

Carleton & Exham.

The

18 *Caroli.*

The Brief *of Pope* Urban *VIII. to* O Neal, *an* Iriſh *Rebel. Dated* Octob. 8. 1642.

Urban VIII's Brief to O *Neal.*

URBAN, Servant of the Servants of God, &c. To his beloved Son, *Eugenius O Neal.* You are accuſtomed to omit no occaſion to teſtifie your ſingular zeal and endeavour, which you derive from your Anceſtors, of defending the Church: And of this you have given a recent Teſtimony, by deſigning to go into *Ireland*, to take care of the Concerns of the Catholicks. Wherefore your Letters came very welcom, whereby you ſignifie your intended Voyage; and, taking your Auſpices from the Divine Aſſiſtance, have not leſs humbly than religiouſly deſired of Us Our Benediction. We highly commend Your Conſtancy againſt the Hereticks, and the ſincerity of Your Faith; expecting from you in this opportunity the proofs of your Valour, which have formerly given you Renown, and will be exemplary to others. We hope the Moſt High will be at hand to aſſert your Cauſe, and will make known *his ſaving health among all Nations.* In the mean time, that you may proceed with greater aſſurance, praying inceſſantly to the Divine Clemency, That he would fruſtrate the endeavours of your Enemies, we give to You, and thoſe others who promote the Affairs of the Catholicks in the aforeſaid Kingdom, *Our Benediction*; and to all and each of them, if they, being penitent, are confeſs'd, and duly refreſh'd with the Holy Communion, if it may be had, *full Remiſſion and Pardon of their Sins*, and alſo at the point of Death *Plenary Indulgence.* Dated at *Rome*, under the Seal of the Fiſher, the 8th. day of *October*, [which is according to our Account *September* 28.] *Anno Dom.* 1642. and of our Papacy the 20th.

Pope's Bleſſing and pardon of all their ſins to all the *Iriſh* Rebels.

Hereunto I ſhall add another more general Bull of the Pope's, though not bearing date till above a year after.

The Pope's Indulgence *to war againſt the* Hereticks *in* Ireland.

URBANUS *Octavus*, &c.

AD futuram rei memoriam, zelum Orthodoxæ Fidei, quo diverſi *Hiberni* Catholici Bellatores exercituum Regni *Hiberniæ* (ob eximium ejuſdem Fidei cultum *Patriam Sanctorum* olim appellatam) ab hæreticorum oppreſſionibus & injuriis, quibus jamdudum affligitur, armis vindicare, & operarios iniquitatis, qui Maſſam Catholicæ puritatis eodem in Regno hæreticæ contagionis fermento inſecerunt, & jugiter inficere nituntur, extirpare ſatagunt, ſpiritualium gratiarum, quarum diſpenſatores in terris à Domino conſtituti ſumus, largitione

URBAN the Eighth, &c.

HAving taken into our ſerious Conſideration the great zeal of the Iriſh *towards the propagating of the Catholick Faith, and the* Piety of the Catholick Warriors *in the ſeveral Armies of that Kingdom, which was for that ſingular fervency in the true Worſhip of God, and notable care had formerly in the like caſe, by the Inhabitants thereof, (for the maintenance and preſervation of the ſame Orthodox Faith, called of old,* The Land of Saints;) *and having got certain notice how, in imitation of their godly and worthy Anceſtors, they* endeavour by force

His Indulgence to war againſt the Hereticks in *Ireland.*

An. 1642. conſovere volentes, de omnipotentis Dei miſericordia, ac beatorum *Petri* & *Pauli* Apoſtolorum ejus, Authoritate fulti, ex illa ligandi atque ſolvendi poteſtate, quam nobis Dominus, meritis minime ſuffragantibus, contulit, univerſis & ſingulis Chriſti fidelibus in prædicto *Hiberniæ* Regno contra Hæreticos & alios Catholicæ fidei hoſtes, nunc & pro tempore militantibus, vere pœnitentibus & confeſſis ac ſacri Communione refectis, plenariam omnium peccatorum ſuorum indulgentiam & remiſſionem, ſicut in Anno Jubilæi viſitantibus certas Eccleſias intra & extra urbem concedi conſuevit; tenore præſentium pro una vice tantum pro quolibet concedimus & elargimur; cupientes autem omnes Chriſti fideles, militantes ut præfertur, participes fieri hujus pretioſiſſimi Theſauri, univerſis & ſingulis Chriſti fidelibus prædictam licentiam concedimus & facultatem damus, ut ſibi ad hunc effectum quemcunque Confeſſarium, tam Secularem quam cujuſvis ordinis Regularem, etiam ex aliis approbatis à locorum ordinariis eligere poſſent, qui eorum confeſſionibus diligenter auditis, ab omnibus Excommunicationibus, Suſpenſionibus, & aliis Eccleſiaſticis Sententiis & Cenſuris à viro vel ab homine quavis cauſa latis ſeu inflictis; nec non ab omnibus peccatis, exceſſibus, criminibus & delictis, quantumvis gravibus & enormibus, etiam locorum ordinariis, ſive nobis & Sedi Apoſtolicæ etiam in Cœna Domini legi conſuetis, contentis, & alias per quaſcunque noſtras, & *Romanorum* Pontificum Prædeceſſorum noſtrorum Conſtitutiones, quarum tenore præſentibus haberi volumus pro expreſſis quomodocunque reſervatis in foro conſcientiæ, & ea vice tantum eos abſolvere & liberare valeat, & inſuper vota quæcunque (Religionis & Caſtitatis exceptis) in alia pia & ſalutaria opera commutare, injuncta tum eis & eorum cuilibet in ſupradictis omnibus caſibus pœni-

of Arms to deliver their thralled Nation from the oppreſſions and grievous injuries of the Hereticks, *wherewith this long time it hath been afflicted and heavily burthened, and gallantly do what in them lieth to* extirpate *and* totally root out *thoſe workers of iniquity, who in the Kingdom of* Ireland *had infected, and always ſtriven to infect the Maſs of Catholick Purity with the* peſtiferous Leaven of their heretical Contagion: *We therefore being willing to cheriſh them with the gift of thoſe ſpiritual Graces, whereof by God we are ordained* the only Diſpoſers on earth, *by the mercy of the ſame Almighty God, truſting in the Authority of the bleſſed Apoſtles* Peter *and* Paul, *and by vertue of that* Power of binding and looſing of Souls, *which God was pleaſed* (without our deſerving) *to confer upon us, to all and every one of the faithful Chriſtians in the Kingdom of* Ireland, *now, and for the time* militating againſt the Hereticks, *and other Enemies of the Catholick Faith, they being truly and ſincerely penitent after Confeſſion, and the ſpiritual refreſhing of themſelves with the ſacred Communion of the Body and Bloud of Chriſt, do grant a full and plenary* Indulgence and abſolute Remiſſion for all their ſins, *and ſuch as in the holy time of Jubile is uſual to be granted to thoſe that devoutly viſit a certain number of priviledged Churches within and without the Walls of our City of* Rome: *By the tenor of which preſent Letters, for once only, and no more, we freely beſtow the favour of this Abſolution upon all and every one of them; and withal deſiring heartily all the Faithful in Chriſt, now in Arms as aforeſaid, to be partakers of this moſt precious Treaſure. To all and every one of theſe aforeſaid faithful Chriſtians, we grant licenſe, and give power to chooſe unto themſelves for this effect, any fit* Confeſſor, *whether a Secular Prieſt, or a Regular of ſome Order, as likewiſe any other ſelected perſon approved*

tentia ſalutari, aliiſque ejuſdem Confeſſoris arbitrio injungendis; quapropter tenore præſentium in virtute Sanctæ obedientiæ diſtrictè præcipimus & mandamus omnibus & quibuſcunque venerabilibus fratribus Archiepiſcopis, Epiſcopis, & aliis Eccleſiaſticis Prælatis, ac quibuſcunque Ordinariis locorum in *Hibernia* exiſtentibus, eorumque Vicariis & Officialibus; vel, iis deficientibus, illis qui curam Animarum inibi exercent, ut ut præſentium literarum tranſcripta aut exempla etiam impreſſa acceperint, illa ſtatim abſque ulla mora, retardatione vel impedimento, per ſuas Eccleſias Diœceſes, Provincias, Civitates, & Oppida, Terras & Loca publicent & publicare faciant. Non intendimus autem per præſentes ſuper aliqua irregularitate publica vel occulta, nota, defectu, incapacitate ſeu inhabilitate, quoquo modo contracta, diſpenſare, vel aliqua facultate tribuere diſpenſandi ſeu habilitandi, & in priſtinum ſtatum reſtituendi, etiam in foro conſcientiæ; neque etiam eaſdem præſentes iis qui à nobis, & Apoſtolica Sede, vel ab aliquo Prælato, ſeu Judice Eccleſiaſtico, Excommunicati, Suſpenſi, Interdicti, in ſententias, & cenſuras incidiſſe declarati, vel publicè denuntiati fuerint, niſi prius ſatisfecerint, aut cum partibus concordaverint, ullo modo ſuffragari poſſe aut debere, non obſtantibus Conſtitutionibus & Ordinationibus Apoſtolicis quibus facultas obſervandi in his & aliis expreſſis caſibus, ita *Romano* Pontifici pro tempore exiſtenti reſervatur, ut nec etiam ſimiles vel diſſimiles Jubilei Indulgentiarum & facultatum hujuſmodi conceſſiones, niſi de illis expreſſa mentio aut ſpecialis derogatio fiat, cuique ſuffragari queant, nec non regula noſtra, De non concedendis indulgentiis ad inſtar, ac quibuſvis etiam juramento, confirmatione Apoſtolicâ, vel alia quavis firmitate roboratis, ſtatutis, & conſuetudinibus, privilegiis quoque indultis, & literis Apoſtolicis in con-

approved of by the Ordinary of the place, who after a diligent hearing of their Confeſſions, ſhall have power to liberate and abſolve *them from Excommunication, Suſpenſion, and all other Eccleſiaſtical Sentences and Cenſures, by whomſoever, or for what cauſe ſoever pronounced or inflicted upon them; as alſo from all Sins, Treſpaſſes, Tranſgreſſions, Crimes, and Delinquencies, how heinous and atrocious ſoever they be; not omitting thoſe very Enormities in the moſt peculiar caſes, which by any whatſoever former Conſtitutions of ours, or of our Predeceſſor Popes (than which we will have theſe to be no leſs valued in every point) were deſigned to be reſerved to the Ordinary, or to the Apoſtolick See; from all which the Confeſſor ſhall hereby have Power granted him to abſolve the aforeſaid Catholicks at the Bar of Conſcience, and in that ſenſe only. And furthermore, we give them power to exchange what Vow or Vows ſoever they were formerly aſtricted to (thoſe of Religion and Chaſtity excepted) into any other pious and good Work or Works, impoſed or to be impoſed on them, and every one of them, to perform in all the aforeſaid Caſes, by a wholſom Penance, according to the mind and will of the Confeſſor. Therefore, by the tenor of theſe preſent Letters, and by the virtue of that holy ſtrict Obedience wherein all Chriſtians are bound unto us, we charge and command all and every one of the Reverend Brethren, Archbiſhops, Biſhops, and other Eccleſiaſtical Prelates, and whatſoever Ordinaries of places now reſiding in* Ireland, *together with all Vicars, Subſtitutes and Officials under them; or theſe failing, we command all ſuch on whom in thoſe places the Cure of Souls is incumbent, That as ſoon as they ſhall have received the Copies of theſe our Letters, they ſhall forthwith, without any ſtop or delay, publiſh them, and cauſe them to be publiſhed throughout all their Churches, Dioceſes, Provinces, Countries, Cities, Towns,*

18 *Caroli.*

An. 1642.

trarium præmiſſorum conceſſis, quomodolibet approbatis & innovatis, quibus omnibus & ſingulis, etiamſi de illis eorumque totis tenoribus ſpecialis, ſpecifica expreſſio, &. individua, ac de verbo ad verbum, non autem per clauſulas generales idem importantes, mentio ſeu quivis alia expreſſio, aut aliqua alia exquiſita forma ad hoc ſervanda, foret illorum tenorum præſentibus pro ſufficienter expreſſis, ac formam in illis traditam pro ſervata habentes, hac vice ſpecialiter, nominatim & expreſsè ad effectum Præſentium derogamus, cæteriſque contrariis quibuſcunque. Ut autem præſentes noſtræ quum ad ſingula loca deferri non poſſunt, ad omnium notitiam faciliusdeveniant, volumus & earundem præſentium tranſcriptis vel exemplis etiam impreſſis manu alicujus Notarii Publici ſubſcriptis, & ſigillo alicujus perſonæ in dignitate Eccleſiaſtica conſtitutæ, munitis, eadem prorſus adhibeatur fides quæ adhiberetur præſentibus, ſi forent exhibitæ vel oſtenſæ. *Datum* Romæ *apud Sanctum* Petrum 25 Maii 1643. *Pontificatûs noſtri anno vigeſimo.*

M. A. Maraldus.

Towns, Lands, Villages, and places whatſoever. Nevertheleſs, we do not intend by theſe preſent Letters, where any publick or ſecret irregularity is made known, or any deſection, apoſtacy, incapacity, or inability in any manner of way contracted, to diſpenſe therewith, or graht to any other any power or faculty of Diſpenſation, Rehabilitation, or Reſtoring the Delinquent to his former condition, though but at the Bar of Conſcience: Neither can nor ſhould theſe our preſent Letters avail, or to be ſteadable to thoſe who by Us and the Apoſtolick See, or by any Prelate or Eccleſiaſtick Judge, have been Excommunicated, Suſpended, Interdicted, or declared and publickly denounced to have juſtly incurred the Sentences and Cenſures of the Church, till firſt they have ſatisfied and agreed with the parties therein concerned, notwithſtanding all other Conſtitutions and Apoſtolical Ordinations; whereby nevertheleſs the Faculty of Abſolution in theſe as well as other expreſſed Caſes, is ſo reſerved to his Holineſs the Pope for the time being, that no kind of Jubile, nor power of granting ſuch Indulgences, can in any ſort avail, unleſs expreſs mention be made of the fault or faults in particular, and the whole tenour of them fully deduced, by an individual relation from word to word, and not by general Clauſes importing the ſame thing: This, or ſome other exquiſite form of the like nature, being carefully obſerved, we in that caſe eſpecially, expreſly, and namely, by the effect of theſe preſents, do totally aboliſh and remit to them all and every one of them their offences, notwithſtanding any thing to the contrary. Now that theſe principal Letters of ours, which cannot be conveniently brought to every place, may the ſooner come to the notice of all, Our Will and Pleaſure is, That any whatſoever Copies or Tranſcripts, whether written or printed, that are ſubſcribed with the hand of a Publick Notary, and which have the Seal of ſome eminent perſon in Eccleſiaſtical Dignity affixed thereunto, be of the ſame force, power and authority, and have the like credit in every reſpect given unto them, as would be to theſe our principal Letters, if they were ſhewn and exhibited. Dated at *Rome* in the *Vatican*, or St. *Peter's* Palace, the 25th of *May* 1643. and in the 20th year of our Pontificate.

M. A. Maraldus.

18 *Caroli.*

An Act of State, made Octob. 14. 1642. *by the Lords Juſtices and Council of* Ireland, *for the Obſervation of the Three and Twentieth Day of* October *yearly, to be a day of Thanksgiving, for the diſcovery and prevention of the horrible Conſpiracy and Plot of the Papiſts, to Maſſacre all the Proteſtants in that Kingdom.*

W. Parſons, Jo. Borlaſe.

An Act of State, &c.

WHereas many Malignant and Deviliſh Papiſts and Jeſuits, Friars, Seminary Prieſts, and Superſtitious Orders of the Popiſh pretended Clergy, moſt diſloyally, treacherouſly, and wickedly Conſpired to ſurprize His Majeſty's Caſtle of *Dublin*, His Majeſty's principal Fort in this Kingdom, the City of *Dublin*, and all other Cities and Fortifications in this Realm, to Maſſacre us the Lords Juſtices and Council, to deſtroy and root out all the Proteſtant *Britiſh*, and all other Proteſtants in this Realm; and finally, to deprive His Majeſty of this His ancient and rightful Crown and Soveraignty of this Kingdom, and to poſſeſs themſelves thereof: All which was by the ſaid Conſpirators plotted, and intended to be acted on the 23d. day of *October*, in the Year of our Lord God, 1641. A Conſpiracy ſo inhumane, barbarous, and cruel, as the like was never before heard of in any Age or Kingdom: And if it had taken effect in that fulneſs which was intended by the Conſpirators, it had occaſioned the utter ruine of this whole Kingdom, and the Government thereof.

And howſoever it pleaſed Almighty God in his unſearchable Wiſdom and Juſtice, as a juſt puniſhment, and deſerved correction to us for our Sins, and the Sins of this Nation, to permit then, and afterwards, the effecting of a great part of that deſtruction, complotted by thoſe wicked Conſpirators, whereby many thouſand *Britiſh* and Proteſtants have been Maſſacred; many thouſands of others of them have been afflicted and tormented, with the moſt exquiſite Torments that the Malice of the Devil could ſuggeſt to the miſchievous Rebels: And all Men's Eſtates (as well thoſe whom they traiterouſly ſlew, as all others) are utterly waſted, ruined, and deſtroyed: Yet as his Divine Majeſty hath in all Ages ſhown his Power and Mercy in the miraculous and gracious Deliverance of his Church, and in the protection of Religious Kings and States, ſo even in the midſt of his Juſtice, he was graciouſly pleaſed to extend Mercy to His Majeſty, and to this His Kingdom, and good Subjects therein, not only in miraculouſly diſcovering to us the Lords Juſtices, that hideous and bloody Treaſon, not many hours before the appointed time for the Execution thereof, but alſo in preſerving the ſaid Caſtle and City of *Dublin*, and ſome other Cities, Towns, and Caſtles in the Kingdom, from the bloody Hands of the barbarous Conſpirators; as alſo in thereby rendring Deliverance to the lives of us the Lords Juſtices and Council, and of all the *Britiſh* and Proteſtants in *Dublin*, and in the ſaid other Cities, Towns, and Caſtles preſerved, and of ſundry other *Britiſh* and Proteſtants, ſain even into the Hands of thoſe Rebellious Conſpirators; and likewiſe in ſending us Succours (whereby with God's Bleſſing) we have hitherto continued ſafe under his mighty Protection, notwithſtanding the unexampled rage, and implacable fury and malice of thoſe mercileſs Enemies of God's Truth.

Wherefore, as we do moſt humbly and juſtly acknowledge God's Juſtice in our deſerved Puniſhments, in thoſe Calamities which from the Counſels and Actions of thoſe Conſpirators and their Adherents are ſain upon us, and this Nation in general, ſo we do in like manner acknowledge, That even in exerciſing of that his Juſtice, he remembred Mercy alſo, and magnified his Mercy to us, in thoſe great Bleſſings which we humbly confeſs to have proceeded meerly from his infinite Goodneſs and Mercy; and therefore to his moſt Holy Name we do aſcribe all Honour, Glory, and Praiſe. And to the end this unfeigned thankfulneſs may never be forgotten, but may be had in a perpetual Remembrance, that all Ages to come may yield praiſes to his Divine Majeſty for the ſame, and have in Memory, *This joyful day of Deliverance*; We do ordain and eſtabliſh

An. 1642. eſtabliſh by this our Act of Council, (in the mean time, until by Authority of Parliament it ſhall be made a Law to be delivered over to Poſterity,) That all and ſingular Miniſters in every Cathedral and Pariſh Church, or other uſual place for Common-Prayer in this Realm of *Ireland*, ſhall always upon the 23d. day of *October*, ſay Morning-Prayer, and give thanks unto Almighty God, for this moſt happy and miraculous Deliverance, and for our preſervation hitherto, far above the expectation of thoſe wretched Conſpirators: And that all and every Perſon and Perſons, inhabiting within this Realm of *Ireland*, ſhall always upon that day, diligently and faithfully reſort to the Pariſh Church or Chapel accuſtomed, or to ſome uſual Church or Chapel where the ſaid Morning Prayer, Preaching, or other Service of God ſhall be uſed, and then and there to abide orderly and ſoberly, during the time of the ſaid Prayers; Preaching, or other Service of God there to be uſed and miniſtred.

And becauſe all and every Perſon may be put in mind of his Duty, and be then better prepared to the ſaid Holy Service, We do ordain and eſtabliſh, by this our Act of Council, That every Miniſter ſhall give warning to his Pariſhioners publickly in the Church at Morning Prayer, the *Sunday* before every ſuch 23d. day of *October*, for the due obſervation of the ſaid day: And that after Morning Prayer and Preaching, upon the ſaid 23d. day of *October*, they read publickly, diſtinctly, and plainly, this our Act of Council.

Given at His Majeſty's Caſtle of Dublin, *the 14th day of* October, 1642.

Ormond.	*Tho. Rotheram.*
Ad. Loftus.	*Fr. Willoughby.*
Geo. Shurley.	*Ja. Ware.*
Gerrard Lowther.	*G. Wentworth.*
J. Temple.	*Rob. Meredith.*

A Committee ſent by the Parliament into *Ireland*, Octob. 1642.

About *October* 1642. the Two Houſes of Parliament in *England*, ſent over a Committee, *viz.* Mr. *Robert Goodwin*, and Mr. *Robert Reynolds*, Members of the Houſe of Commons, to whom the City of *London* joined one Captain *Tucker*, who carried with them 20000 *l.* in ready Money, 300 Barrels of Powder, ten Tun of Match and other Ammunition, who arrived (by long Sea) at *Dublin* on the 29th of *Octob.* The Lords Juſtices and Council ordered their reception with reſpect. They uſed their Endeavours to ſatisfie the Officers of the Army, of the care the Parliament took to provide their pay and ſend over Money, and to furniſh them with Proviſions and Ammunitions, and to promote the ſervice by ſending out Parties; and when there was a failing, either in Money or Proviſions, engaged their own particular Credits to ſupply it. And were from time to time to ſatisfie the Two Houſes, of the State of Affairs in that Kingdom. But by reaſon of the Differences between the King and his Parliament, they being look'd on but as Spies on His Majeſty's Miniſters, His Majeſty by a Letter delivered to the Lord's Juſtices and Council the 10th of *February*, 164$\frac{2}{3}$. commanded their Removal; whereupon they embarqued for *London*, *Febr.* 27.

Commanded away.

The Parliament was much diſſatisfied at this ſending back their Commiſſioners. The wants of the Army in *Ireland* grew very preſſing; to ſupply which, what they could, the Lords Juſtices melted down their own Plate, and Coined it with his Majeſty's Stamp, and encouraged others to do the like; by help whereof, and ſome ſupplies from *England*, the Army march'd out 2500 Foot, and 500 Horſe, under the Marquiſs of *Ormond*; touching which, and the Battle of *Roſs*, and their condition at that time, they gave an account in this following Letter to the Speaker of the Houſe of Commons. *The*

19 *Caroli.*

The Lords Juſtices Letter to the Speaker of the Houſe of Commons in England *touching* Roſſe, *&c.* Apr. 4. 1643.

The Lords Juſtices Letter to the Speaker of the Houſe of Commons in *England* touching *Roſſe &c. Apr.* 4. 1643.

OUR very good Lord, the Marqueſs of *Ormond*, having in his March, in his laſt Expedition, conſulted ſeveral times with the Commanders and Officers of the Army, in a Council of War; and ſo finding that ſubſiſtence could not be had abroad, for the Men and Horſes he had with him, or for any conſiderable part of them, it was reſolved by them, that his Lordſhip with thoſe Forces ſhould return hither, which he did on the 26th of *March*.

In his return from *Roſſe*, (which in caſe our Forces ſtood, he found ſo difficult to be taken in, as though our Ordnance made a Breach in their Walls, it was found neceſſary to deſert the Siege,) he was encountred by an Army of the Rebels, conſiſting of about 6000 Foot, and 650 Horſe, well Arm'd and Hors'd; Yet it pleaſed God ſo to diſappoint their Counſels and Strength, as with thoſe ſmall Forces which the Lord Marqueſs had with him, being of fighting Men 2500, and 500 Horſe, not well arm'd, and for the moſt part weakly Horſed, (and thoſe, as well Men as Horſe, much weakned, by lying in the Fields ſeveral Nights in much Cold and Rain, and by want of Man's meat and Horſe meat,) the Lord Marqueſs obtained a happy and glorious Deliverance and Victory againſt thoſe Rebels, wherein were ſlain about 300 of them, and many of their Commanders and others of Quality, and amongſt thoſe Priſoners, Colonel *Cullen*, a Native of this City, who being a Colonel in *France*, departed from thence, and came hither to aſſiſt the Rebels, and was Lieutenant-General of their Army, in the Province of *Leimſter*, and the Rebels Army was totally routed and defeated, and their Baggage and Ammunition ſeized on by his Majeſty's Forces, who lodged that Night where they had gained the Victory; and on our ſide about 20 ſlain in the Fight, and divers wounded.

We have great cauſe to praiſe God, for magnifying his Goodneſs and Mercy to his Majeſty, and this his Kingdom, ſo manifeſtly, and indeed wonderfully, in that Victory.

However the Joy (due from us upon ſo happy an occaſion) is, we confeſs, mingled with very great Diſtraction here, in the apprehenſion of our Unhappineſs to be ſuch, as although the Rebels are not able to overcome his Majeſty's Army, and devour his other good Subjects, as they deſire; yet both his Army and good Subjects are in danger to be devoured, by the wants of needful Supplies forth of *England*: For as we formerly ſignified thither, thoſe Forces were of neceſſity ſent abroad, to try what might be done for ſuſtaining them in the Country, ſo as to keep them alive till Supplies ſhould get to us. But that deſign now failing, thoſe our Hopes are converted into Aſtoniſhment, to behold the unſpeakable Miſeries of the Officers and Soldiers, for want of all things; and all thoſe Wants made the more inſupportable by the want of Food; whilſt the City (being all the help we have) is now too apparently found to be unable to help us, as it hath hitherto done: And divers Commanders and Officers in the Army do now ſo far expreſs the ſenſe of their Sufferings, (which indeed are very great and grievous,) as they declare, That they have little hope to be ſupplied by the Parliament, and preſs with great importunity to be permitted to depart this Kingdom, ſo as it will be extream difficult to keep them here.

By our Letters of the 23d. of *March*, we ſignified thither the inſupportable Burden laid on this City, for Victualling thoſe of the Army left here, when the Marqueſs of *Ormond*, with the Forces he took with him, marched hence; which Burden is found every day more heavy than other, in regard of the many Houſe-keepers thereby daily breaking up Houſe, and ſcattering their Families, leaving ſtill fewer to bear the Burden. We alſo by thoſe Letters, and by our Letters of the 25th of *February*, advertiſed thither the high danger this Kingdom would incurr, if the Army ſo ſent abroad, ſhould by any diſtreſs, or through want, be forced back hither again, before our relief of Victuals ſhould arrive forth of *England*.

When we found that thoſe Men were returning back hither, although we were (and are ſtill) full of diſtractions, conſidering the diſmal Conſequences threatned thereby, in reſpect of our Wants; yet we conſulted what we could yet imagine feaſible, that we had not formerly done to gain ſome Food for thoſe Men; and found, that to ſend them or others abroad into the Country we

An. 1642. cannot, in regard we are not able to advance Money, for procuring the many Requiſites incident to ſuch an Expedition. In the end therefore we were forced to fix on our former way, and to ſee who had yet any thing left him, untaken from him, to help us; and although there were but few ſuch, and ſome of them poor Merchants, whom we have now by the Law of neceſſity utterly undone, and diſabled from being hereafter helpful to us, in bringing us in Victuals, and other needful Commodities; yet were we forced to wreſt their Commodities from them. And certainly there are few here, of our ſelves and others, that have not felt their parts in the inforced rigour of our proceedings, towards preſerving the Army; ſo as what with ſuch hard dealing, not leſs grievous to us to do, than it is heavy to others to ſuffer, and by our deſcending (againſt our Hearts) far below the Honour and Dignity of that Power we repreſent here, under his Royal Majeſty, we have with unſpeakable difficulty prevailed, ſo as to be able to find Bread for the Soldiers for the ſpace of one Month.

We are expelling hence all Strangers, and muſt inſtantly ſend away for *England*, thouſands of poor diſpoiled *Engliſh*, whoſe very eating is now unſupportable to this place.

And now again, we finally, we earneſtly deſire, (for our Confuſions will not now admit the writing of many more Letters, if any,) that his Majeſty and the *Engliſh* Nation, may not ſuffer ſo great, if not irrecoverable, prejudice and diſhonour, as muſt unavoidably be the conſequence of our not being relieved ſuddenly; but that yet (although it be even now at the point to be too late) ſupplies of Victuals and Munition may preſently be haſtned hither, to keep Life until the reſt may follow, there being no Victual in the Store, nor will there be a 100 Barrels of Powder left in Store, when the Out-Garriſons (as they muſt be inſtantly) are ſupplied; and that remainder, according to the uſual neceſſary expence, beſides extraordinary accidents, will not laſt above a Month. And the reſidue of our Proviſions muſt alſo come ſpeedily after, or otherwiſe *England* cannot help to ſecure *Ireland*, or ſecure themſelves againſt *Ireland*; but in the loſs of it, muſt look for ſuch Enemies from hence, as will perpetually diſturb the Peace of his Majeſty and his Kingdom of *England*, and annoy them by Sea and Land, as we often formerly repreſented thither; which miſchiefs may yet be prevented, if we be yet forthwith enabled from thence with means to overcome this Rebellion.

We hope that a courſe is taken there, for haſtning hither the Proviſions of Arms and Munition, mentioned in the Docket ſent in our Letter of the 20th of *January*; and the 600 Horſes which we then moved might be ſent hither for Recruits; and that the 7893 *l.* 3 *s.* for Arms to be provided in *Holland* (beſides thoſe we expect in *London*) hath been paid to *Anthony Tierens* in *London*, or to *Daniel Wibrants* in *Amſterdam*; and if that ſum had been paid, as we at firſt deſired, we might well have had thoſe Proviſions arrived here by the tenth of *March*, as we agreed. However we now deſire, that that Money if it be not already paid, may be yet paid to Mr. *Anthony Tierens* in *London*, or Mr. *Wibrants* in *Amſterdam*, that ſo thoſe Proviſions may arrive here ſpeedily, which (conſidering that Summer is now at hand) will be very neceſſary, that when our ſupplies of Victuals, Munition, Cloths, Money, and other Proviſions ſhall arrive, we may not, in the publick Service here, loſe the benefit and advantage of that ſeaſon. And ſo we remain, *&c.*

From His Majeſty's Caſtle of Dublin, *the Fourth of* April, 1643.

In the mean time the following Petition was preſented.

To

18 *Caroli.*

To the King's Moſt Excellent Majeſty;

The Humble Petition of Sir James Montgomery, *Sir* Hardreſs Waller, *Knights and Colonels, and of Colonel* Arthur Hill, *and Colonel* Audley Mervin, *in the behalf of themſelves, and others, Commanders in Your Majeſty's Army in* Ireland.

Petition of ſome Proteſtant Commanders in *Ireland* to the King, *Dec.* 1. 1642.

May it pleaſe Your Sacred Majeſty.

WE Your Majeſty's moſt humble Subjects, being intruſted from conſiderable parts of Your Majeſty's Forces in the Kingdom of *Ireland*, to Petition Your Majeſty and Your Parliament for ſupplies; and finding that Your Majeſty had committed the care and management of that War to Your Parliament here, we Addreſs'd our ſelves unto the ſame, whoſe ſenſe of our Miſeries and inclination to redreſs, appeared very tender unto us; but the preſent Diſtempers of this Your Majeſty's Kingdom of *England*, to our unſpeakable grief, are grown ſo great, that all future paſſages, by which Comfort and Life ſhould be conveyed unto that gaſping Kingdom, ſeem totally to be obſtructed; ſo that unleſs Your Gracious Majeſty, out of Your ſingle Wiſdom, and Fatherly Care, apply ſome ſpeedy remedy, we Your Diſtreſſed and Loyal Subjects of that Kingdom muſt inevitably periſh. Our condition repreſents unto Your Majeſty the Eſtate of all Your Majeſty's Faithful Proteſtant Subjects in *Ireland*, the Influence of Princely Favour and Goodneſs, ſo actively diſtilled upon Your Kingdom of *Ireland*, before the Birth of this Monſtrous Rebellion there. And ſince the ſame ſo abundantly expreſſed in Characters of a deep ſence and lively preſentment of the bleeding Condition thereof, gives us hope in this their deplorable Extremity, to addreſs our ſelves unto Your Sacred Throne, humbly beſeeching, that it may pleaſe Your Gracious Majeſty, amongſt Your other weighty Cares, ſo to reflect upon the bleeding Condition of that periſhing Kingdom, that timely relief may be afforded; otherwiſe Your Loyal Subjects there muſt yield their Fortunes a Prey, their Lives a Sacrifice, and their Religion a Scorn to the *Mercileſs Rebels*, powerfully aſſiſted from *abroad*, whilſt we live in reſt in Your Majeſty's Protection, if our Deaths are ſigned in that Cauſe, we will die in Your Obedience; living and dying ever pray for Your Majeſty's long and proſperous Reign over us.

Montgomery.
Hardreſs Waller.
Arthur Hill.
Au. Mervin.

An. 1642.

At the Court at Oxford *this First of* Decemb. 1642. *His Majeſty hath expreſly commanded me to give this Anſwer to this Petition.*

The King's Anſwer.

THAT His Majeſty, ſince the beginning of that Monſtrous Rebellion, hath had no greater Sorrow, than for the bleeding Condition of that His Kingdom: And as he hath by all means laboured that timely relief might be afforded to the ſame, and conſented to all propoſitions, how diſ-advantageous ſoever to himſelf, that have been offered him for that purpoſe; and not only at firſt recommended their Condition to both His Houſes of Parliament, and immediately, of his own meer Motion, ſent over ſeveral Commiſſions, and cauſed ſome proportion of Arms and Ammunition (which the Petitioners well knew to have been a great ſupport to the Northern Parts of that Kingdom) to be conveyed to them out of *Scotland*, and offered to find ten thouſand Volunteers to undertake that War; but hath often ſince preſs'd by many ſeveral Meſſages, that ſufficient Succours might be haſtned thither, and other matters of ſmaller importance laid by, which did divert it; and offered, and moſt really intended, in His *Own Royal Perſon*, to have undergone the Danger of that War, for the defence of His good Subjects, and the chaſtiſement of thoſe *perfidious and barbarous Rebels*: And in His ſeveral Expreſſions of His Deſires of Treaty and Peace, hath declared the miſerable preſent Condition, and certain future Loſs of *Ireland*, to be one of his principal motives, moſt earneſtly to deſire that the preſent Diſtractions of this Kingdom might be compoſed, and that others would concur with him to the ſame end; ſo His Majeſty is well pleaſed, that His Offices, Concurrence, Actions, and Expreſſions, are ſo rightly underſtood by the Petitioners, and thoſe who have employed them, notwithſtanding the groundleſs and horrid Aſperſions which have been caſt upon him; but wiſhes that inſtead of a meer general Complaint, to which his Majeſty can make no return but of Compaſſion, they could have digeſted and offered to him any ſuch deſires, by conſenting to which he might convey, at leaſt in ſome degree, Comfort and Life to that gaſping Kingdom, preſerve his diſtreſſed and Loyal Subjects of the ſame from inevitable periſhing, and the true Proteſtant Religion from being ſcorned and trampled on by thoſe *Mercileſs and Idolatrous Rebels*. And if the Petitioners can yet think on any ſuch, and propoſe them to His Majeſty, he aſſures them, that by His readineſs to conſent, and His thanks to them for the propoſal, he will make it appear to them, that their moſt preſſing perſonal Sufferings, cannot make them more deſirous of *Relief*, than His care of the *true Religion*, and of His Faithful Subjects, and of that Duty which obliges Him in His Power to protect both, renders Him deſirous to afford it to them.

18 *Caroli.*

An Ordinance for Loans and Contributions for Ireland, *as well from the United Provinces, as from* England *and* Wales, January 30. $164\frac{2}{3}$.

An Ordinance for Loans, &c.

WHereas the gaſping Condition of the Proteſtants in *Ireland* is too much manifeſt, their Eſtates devoured, their Lives daily ſacrificed, not only to the Malice of their and our bloody Enemies, the Popiſh Rebels, but alſo to the more unavoidable Executioners, Starving, Cold, and Hunger, their ſorrows hardly to be equall'd, nor their utter deſtruction poſſible to be prevented, but by the great and undeſerved Mercy of God, upon ſome ſpeedy ſupply of their grievous Neceſſities. In a deep ſenſe and compaſſion of their ſad Eſtate, and not ſo much doubting the Charity of all good Proteſtants here, (which hath been ſo fully manifeſted before,) as to uſe many Arguments to invite them to a liberal Contribution and Loan, for the preſent relief of thoſe of our own Blood and Profeſſion, and to hinder the Rebels from being ſharers in the execution of thoſe deviliſh Plots, which they and their Adherents in *England* have deviſed, and too far effected amongſt us, (who can expect no ſafety here, if that Kingdom be not preſerved unto us, that hath ſo near a relation and dependance upon this;) and for the more ſpeedy raiſing, collecting, and diſpoſing of ſuch ſupply as God ſhall incline the Hearts of his People to afford their Brethren in *Ireland*; which can be no otherwiſe procured at this time, by reaſon of the unhappy Diſtempers here.

The Lords and Commons in Parliament, do hereby Order and Declare, That all and every of His Majeſty's well-affected Subjects of any His Kingdoms and Dominions, and any Perſon or Perſons of the *Dutch* Nation, under the Government of the States General of the United Provinces, that at any time hereafter ſhall bring in and diſburſe any ſum or ſums of Money, to be employed and laid out for the maintenance of the Army in *Ireland*, againſt the Rebels; or that ſhall bring in and deliver any Victuals, Arms, Ammunition, Goods, Wares, or Commodities fit and neceſſary for the better ſupply of the ſaid Army, to be received and indifferently appraized and valued, by ſuch Perſon and Perſons as ſhall be appointed for that purpoſe by the Committee for the *Iriſh* Affairs, made the 30th of *September*, 1642. or any eight of them, thoſe intruſted with this Service, and that are hereafter named; That all and every ſuch Perſon and Perſons ſhall have the Publick Faith of the Parliament. And both Houſes of Parliament do hereby engage the Publick Faith of the Kingdom, to ſatisfie and content, and that ſuch Perſons ſhall be ſatisfied and contented for the ſame, either out of the Rebels Lands in *Ireland* forfeited, or that ſhall be forfeited and confiſcate, when it ſhall pleaſe God that Kingdom ſhall be reduced, in proportions anſwerable and according to the ſeveral ſum and ſums of Money, in manner and form aforeſaid, to be brought in, and in all reſpects and things to their beſt advantage and contentment, as the Adventurers for Lands in *Ireland*, according to the former Propoſitions and ſeveral Acts of Parliament, or any of them, therefore made and enacted this preſent Seſſion, ſhall have their Lands ſet out unto them, or otherwiſe at their Election ſhall be re-ſatisfied their Monies, and the value of their Goods, with Intereſt for the ſame, after the rate of 8 *l. per Cent.* for ſo long time as it ſhall be forborn, to be paid out of the common Treaſure of this Kingdom. And for the better ordering and managing of this Affair, and to the end that ſuch Moneys, Victuals, Arms, Ammunition, Goods, Wares, and Commodities thus to be brought in, may only be employed for the maintenance of the ſaid Army, and not otherwiſe, the Lords and Commons do hereby nominate, authorize, and appoint, Sir *Paul Pynder*, Mr. *John Kendrick*, Mr. *William Pennoyer*, Mr. *Maurice Thompſon*, Mr. *Michael Caſteele*, Mr. *Benjamin Goodwyn*, to be Treaſurers, and to have the receiving of the ſaid Money, Victuals, Arms, Ammunition, Goods, Wares, and Commodities, and to nominate, appoint, and employ all ſuch Perſons under them for the purpoſes aforeſaid, as they ſhall think fit; and the ſaid Money, Victuals, Arms, Ammunition, Goods, Wares, and Commodities, to pay and deliver out for the maintenance of the ſaid Army in *Ireland*, and for no other cauſe whatſoever, and to reward the Perſons to be employed under them for their ſervice, in ſuch manner

An. 1642.

manner as the ſaid Committee, or any eight of them ſhall from time to time, order, direct, and appoint; and the Perſons to be employed under the Treaſurers before-named, to be rewarded for their ſervice in ſuch a manner and proportion as the ſaid Committee, or any eight of them, ſhall from time to time order and appoint; and the Receipts and Payments of Moneys coming in and iſſuing out by virtue of this Ordinance, ſhall be kept in *Guild-hall London*, by the ſaid Treaſurers, and others by them appointed, and that an Acquittance under the Hands of any two or more of the ſaid Treaſurers, ſhall be a ſufficient diſcharge to any Perſon, paying any ſum or ſums of Money to them, by virtue of this Ordinance. And for the more ſpeedy and better effect of this Ordinance, the Lords and Commons in Parliament have commanded, that the ſame be forthwith put in Print, and be publiſhed and diſperſed in every Pariſh in *England* and *Wales*, as well within Liberties as without; and the Parſons, Vicars, or Curates of the ſaid Pariſhes reſpectively, are hereby required, to read this Ordinance in the ſeveral Pariſh Churches and Chappels upon the next Lord's day, after the ſame ſhall be delivered unto them, and to exhort the People to a free and liberal Contribution to ſo neceſſary and godly a Work as this is. And the Church-wardens, or Overſeers for the poor where there are no Church-wardens of the ſaid Pariſhes reſpectively, are hereby authorized and required, after the reading of this Ordinance as aforeſaid, to go from Houſe to Houſe to every the Inhabitants of the ſaid Pariſhes reſpectively, and as well to Collect and gather the free and charitable Benevolence of all the Inhabitants thereof, from the beſt, to the meaner ſort of People, that ſhall be willing to contribute any thing herein, as all and every other ſum and ſums of Money, as alſo Victuals, Arms, Ammunition, Goods, Wares, or Commodities, that any the ſaid Pariſhioners reſpectively ſhall be willing to lend and diſburſe, to be re-ſatisfied for the ſame, as is herein before expreſſed. And the ſaid Churchwardens and Overſeers for the poor, ſhall cauſe to be written down in a Schedule thereof indented, as well the Name and Names of the ſeveral Givers as of the Lenders, with the ſeveral ſum and ſums of Money which ſhall be by every of them lent or given: And the ſaid Churchwardens and Overſeers for the poor, having ſubſcribed their Names at the foot of one part of the ſaid Schedule indented, ſhall deliver that part, together with all ſuch ſum and ſums of Money, Victuals, Arms, Ammunition, Goods, Wares, and Commodities, as ſhall be given or lent in the ſaid reſpective Pariſhes, unto ſuch Perſon or Perſons as ſhall be therefore employed and intruſted, by order of the ſaid Committee, or any eight of them; and the ſaid Perſons ſo intruſted, ſhall upon receipt thereof from the ſaid Churchwardens and Overſeers for the poor, ſubſcribe the other part of the ſaid Schedule, to remain with the ſaid Churchwardens or Overſeers for the poor, and Pariſhioners, the producing whereof to the ſaid Lords and Commons in Parliament, or to ſuch Perſon or Perſons as they ſhall appoint for the ſame, being well atteſted at the time of the ſubſcription, under the hand-writing of the Parſon, Vicar, or Curate, and four or more of the principal Inhabitants of the ſaid Pariſhes reſpectively, at all and every time and times then afterwards, ſhall be an authentick and ſufficient ground for all and every ſuch Perſon and Perſons, their Executors, Adminiſtrators, or Aſſigns, that ſhall lend any ſum or ſums of Money, or other Goods above-mentioned, to be employed as aforeſaid, to have, demand, and receive the ſame back again, or ſuch content and ſatisfaction to be therefore made, and given unto them, as the ſaid Lords and Commons have herein before declared and undertaken. And the ſaid Perſons ſo intruſted for receiving the ſaid Money, Victuals, Arms, Ammunition, Goods, Wares, or Commodities in the ſaid ſeveral Pariſhes, ſhall with all convenient ſpeed after the receipt thereof, return the ſame unto the ſaid Treaſurers herein before named, at the *Guild-hall, London*. And the ſaid Committee are hereby directed to appoint a Regiſter, and Entries to be made of all and every the ſaid Schedule, ſums of Money, and Premiſes to be thus received; whereby the Perſons lending the ſame, may be the more juſtly ſatisfied, and to remain upon Record as an Act of great Bounty and Piety, and much conducing to the ſafety of all His Majeſty's Dominions.

Die Luna 30. *Jan.* 1642.

Ordered to be printed and read in all Churches and Chappels.

On

18 *Caroli.*

On the 4th of *April* 1643. ſome of the Officers of the Army preſented the Lords Juſtices and Council with the following Remonſtrance.

Remonſtrance of ſome Officers in Ireland, April 4.

Remonſtrance of ſome Officers in *Ireland*, *April* 4.

AT our firſt entrance into this unhappy Kingdom, we had no other deſign, than by our Swords to aſſert and vindicate the Right of His Majeſty, which was here moſt highly abuſed; to redreſs the Wrongs of His poor Subjects, and to advance our own Particulars in the proſecution of ſo honeſt Undertakings. And for the reſt of theſe, we do believe they have, ſince our coming over, ſucceeded pretty well; but for the laſt, which concerns our ſelves, that hath faln out ſo contrary to our Expectations, that inſtead of being rewarded, we have been prejudiced; inſtead of getting a Fortune, we have ſpent part of one: And though we behave our ſelves never ſo well abroad, and perform the Actions of honeſt Men; yet we have the Rewards of Rogues and Rebels, which is *Miſery* and *Want*, when we come home. Now, my Lords, although we be brought to ſo great an Exigency, that we are ready to rob and ſpoil one another; yet to prevent ſuch outrages, we thought it better to try all honeſt means for our ſubſiſtence, before we take ſuch indirect courſes; therefore if your Lordſhips will be pleaſed to take us timely into your Conſiderations, before our urgent wants make us deſperate, we will, as we have done hitherto, ſerve your Lordſhips readily and faithfully: But if your Lordſhips will not find a way for our preſervations here, we humbly deſire we may have leave to *go where we may have a better Being*: And if your Lordſhips ſhall refuſe to grant that, we muſt then take leave to have recourſe to that firſt and primary Law, which God hath endued all men with, we mean the Law of Nature, which teacheth all men to preſerve themſelves.

The King's Commiſſion to Treat with the Iriſh *for a Ceſſation,* April 23. 1643.

The King's Commiſſion to Treat with the *Iriſh* for a Ceſſation, *April* 23. 1643.

C. R.

RIght Truſty and Well-beloved Counſellors, we Greet you well. Whereas, conſidering the preſent condition of our Affairs, as well in this as that our Kingdom, through the famous Plots and Practices of Perſons diſaffected to our Perſon and Government, we have given Command and Authority to our right truſty, entirely, and well-beloved Couſin and Counſellor, *The Marqueſs of* Ormond, Lieutenant-General of our Army and Forces in *Ireland*, *to Treat with our Subjects, who in that Kingdom have taken up Arms againſt us, and to agree with them upon a Ceſſation of Arms for one year*; which as it is a Service of very great concernment to Us and Our preſent Affairs, both here and there; ſo we Will and Command, that you therein give your moſt effectual Aſſiſtance and Furtherance to advance the ſame, by your Induſtry and Endeavours as there ſhall be occaſion.

Given at our Court at Oxford *the* 23*th of* April 1643.

The

An. 1643.

The King's Second Letter touching a Ceſſation, May 3. 1643.

C. R.

The King's ſecond Letter touching a Ceſſation.

RIght Truſty and Right Well-beloved Couſin and Counſellour, We Greet you well. By Our Letters of the 23d of the laſt Month, We gave you Our Command to Treat and agree upon a Ceſſation of Arms for one year, with thoſe Our Subjects in that Our Kingdom, who have taken up Arms there againſt Our Authority; and having ſince ſeen the Propoſitions, which you and the reſt of Our Commiſſioners ſent Us from Our ſaid Subjects, We find the ſame to be of ſuch great importance, and many things therein alledged, ſo neceſſary to be farther examined and enquired into, as We have been the rather induced to have ſuch a Ceſſation, as We have formerly written unto you, ſo as it may be with Honour to Us, and without prejudice to our Intereſts and Service. This Bearer, Mr. *William Brent*, is a Perſon whom We have purpoſely ſent over to give Us an account of your Proceedings in a buſineſs of this Conſequence, to whom you may give credit, and by him We ſhall deſire to hear from you, when you ſhall have any matter of moment to ſend over unto Us.

Given at our Court of Oxon *the* 3*d of* May, 1643.

To Our Right Truſty and entirely Beloved Couſin and Counſellor, James *Marqueſs of* Ormond, *Lieutenant General of our Army in* Ireland.

A Letter of the Lords Juſtices of Ireland *to the King.*

May it pleaſe Your Moſt Excellent Majeſty,

The Lords Juſtices Letter to the King, of the preſent State of *Ireland*, *May* 11. 1643.

AS ſoon as we, Your Majeſty's Juſtices, entred into the Charge of this Government, we took into our Conſideration, at this Board, the State of the Army here; which we find ſuffering under unſpeakable extremities of want of all things neceſſary to the ſupport of their Perſons, or maintenance of the War; here being no Victuals, Cloths, or other Proviſions requiſite towards their Suſtenance; no Money to provide them of any thing they want; no Arms in Your Majeſty's Stores, to ſupply their many defective Arms; not above 40 Barrels of Powder in your Stores; no ſtrength of ſerviceable Horſes being now left here, and thoſe few that are, their Arms for the moſt part loſt or unſerviceable; no Ships arrived here to guard the Coaſts; and conſequently no ſecurity rendred to any, that might (on their private Adventures) bring in Proviſions of Victuals, or other neceſſaries, towards our ſubſiſtence: And, finally, no viſible means, by Sea or Land, of being able to preſerve for You this Your Kingdom, aud to render Deliverance from utter Deſtruction, to the Remnant of Your Good Subjects, yet left here.

We find that Your Majeſty's late Juſtices, and this Board, have often and fully by very many Letters, advertiſed the Parliament in *England* of the extremities of Affairs here, and beſought relief with all poſſible importunity; which alſo have been fully repreſented to Your Majeſty, and the Lord Lieutenant, and to Mr. Secretary *Nicholas*, to be made known to Your Majeſty. And although the Winds have of late for many days (and often formerly) ſtood very fair for acceſſions of ſupply forth of *England* hither, and that we have ſtill with longer expectations hope to find Proviſions arrive here in ſome degree, anſwerable to the neceſſities of Your Affairs; yet now (to our unexpreſſable grief) after full ſix Months waiting, and much longer patience and long-ſuffering, we find all our great expectations anſwered in a mean and inconſiderable quantity of Proviſions, *viz.* 75 Barrels of Butter, and 14 Tun of Cheeſe, being but the fourth part of a ſmall Veſſel's lading; which was ſent from *London*, and arrived here on the *5th of this Month*, which is not above ſeven or eight days Proviſion for that part of the Army which lies in *Dublin*, and the Out-Garriſons thereof; no Money or Victuals (other than that inconſiderable proportion of Victuals) having

having arrived in this place as ſent from the Parliament of *England*, or any other forth of *England*, for the uſe of the Army, ſince the beginning of *November* laſt. 19 *Caroli*

We have (by the Bleſſing of God) been hitherto proſperous and ſucceſsful in Your Majeſty's Affairs here, and ſhould be ſtill hopeful, by the mercy of God, under the Royal Directions of Your Sacred Majeſty, to vindicate Your Majeſty's Honour, and recover Your Rights here, and take due vengeance on thoſe Traytors, for the Innocent Blood they have ſpilt, if we might be ſtrengthned or ſupported therein by needful ſupplies out of *England*; but theſe ſupplies being hitherto expected to come from the Parliament of *England* (on which if Your Majeſty had not relyed, we are aſſured You would, in Your High Wiſdom, have found out ſome other means to preſerve this Your Kingdom,) and ſo great and apparent a failure having happened therein, and all the former and late long-continuing Eaſterly Winds bringing us no other Proviſions than thoſe few Cheeſe and Butter, and no advertiſement being brought us of any future ſupplies to be ſo much as in the way hither, whereby there might be any likelihood, that conſiderable means of ſupport for Your Majeſty's Army might arrive here, in any reaſonable time, before that we be totally ſwallowed up by the Rebels, and Your Kingdom by them wreſted from You, we find our ſelves ſo diſ-appointed of our hopes from the Parliament, as muſt needs trench to the utter loſs of the Kingdom, if Your Majeſty, in Your High Wiſdom, ordain not ſome preſent means of preſervation for us.

And conſidering, that if now by occaſion of that unhappy and unexpected failing of ſupport from thence, we ſhall be leſs ſucceſsful in Your Services here againſt the Rebels than hitherto (whilſt we were enabled with ſome means to ſerve You) we have been, (though ſhame and diſhonour may, in common conſtruction of thoſe who know not the Inwards of the Cauſe, be imputed to us, and not to the failing that diſabled us.) And conſidering, principally and above all things, the High and Eminent Truſt of Your Affairs here, depoſited with us by Your Sacred Majeſty, we may not forbear in diſcharge of our Duty, thus freely and plainly to declare our humble apprehenſions; to the end Your Majeſty, thus truly underſtanding the terribleneſs of our Condition, may find out ſome ſuch means of ſupport, to preſerve to Your Majeſty and Your Royal Poſterity, this Your Ancient and Rightful Crown and Kingdom; and derive Deliverance and Safety to the Remnant of Your good Subjects yet left here, as in Your Excellent Judgment You ſhall find to be moſt to Your Honour and Advantage.

And ſo praying to the King of Kings to guide and direct You for the beſt, in this high and important Cauſe, and in all other Your Counſels and Actions, we humbly remain,

From Your Majeſty's Caſtle at *Dublin* the 11th of *May* 1643.

Your Majeſty's moſt Loyal and moſt Faithful Subjects and Servants.

A Declaration of the Lords and Commons, touching the preſent lamentable Condition of Ireland, June 16. 1643.

Die Veneris 16. *June* 1643.

A Declaration of the Lords and Commons &c.

WE the Lords and Commons aſſembled in Parliament, being by ſeveral Letters fully informed, both from the Lords Juſtices, and Council of *Dublin*, and alſo from other parts of the Kingdom of *Ireland*, of the extreamly neceſſitous condition of the whole Army, and the reſt of the diſtreſſed Proteſtants of that Kingdom, out of a compaſſionate ſenſe of the Miſeries of their Brethren there, and their tender care to prevent the extirpation of the Proteſtant Religion ſo generally aimed at, have thought fit to publiſh to the view of all pionſly affected Perſons, the lamentable Eſtate of that diſtreſſed Kingdom; which is now, by the unhappy influence of our Diſtractions here, reduced to that extremity, that in moſt parts of the Army, our Soldiers want Bread for their Bellies, Cloaths for their Backs, and Shooes for their Feet, to

An. 1643. give them a neceſſary ſubſiſtence; and in ſome parts they have been forced to kill their Horſes to ſatisfie their Hunger, very many of the poor *Engliſh* in ſeveral places having periſhed by Famine.

Nevertheleſs it hath pleaſed Almighty God, to imprint ſuch ſpecial Marks of his unlimitted Favours, upon the endeavours of our ſeveral Armies there, that we have more than probable cauſe to hope, that if we ſhall cheerfully addreſs our ſelves to ſend them ſeaſonable ſupplies, he will not yet permit the ruine of our Religion and Country-men in that Kingdom; which we are the more induced to believe, ſince we are credibly informed, that the wants of our Adverſaries do in moſt parts equalize, in many far exceed ours, where they have been forced to eat, not the Fleſh only, but the very Hides of their Horſes to keep them from ſtarving; which hath brought very many of them to ſuch a condition of weakneſs, that they appear rather like walking Anatomies, than fighting Men; ſo that we have no reaſon to ſuſpect, but that our Armies there (if not ſuffered firſt to ſtarve) may by God's Bleſſing yet ſoon reduce that Kingdom.

Nor can it be unknown to any Underſtanding and judicious Obſerver, that whatever be pretended by the Rebels, yet the true cauſes heightning them to ſuch a degree of barbarouſneſs, are, the inveterate Hatred they bear to the true Religion, and their ambitious Deſires; as is moſt evident by the ſeveral Commiſſions from the Rebels, ſtyling themſelves the Supreme Council of the Confederate Catholicks of *Ireland*, iſſued to Men of War, whom they maintained at Sea to ſpoil the Trade of this Kingdom, making themſelves Abſolute, and Independent on this Kingdom: And which is not a little fomented by all the Popiſh party throughout *Chriſtendom*, as appears by the large Contributions ſent from all parts thither, of Money, Arms, Ammunition, and experienced Commanders. And can it be that God's Enemies ſhould be more violent and indefatigable for reſtoring Idolatry in a Kingdom Foreign to theirs, than we zealous in propugning God's Truth in our own, againſt both barbarous Traytors and monſtrous Idolaters? Shall the common Incendiaries of both Kingdoms ſtrip themſelves of all they have, to accompliſh our Deſtruction, by devouring that rich and fruitful Iſland? And ſhall the good People of this Nation, of the ſame Blood and Religion with them, think any thing too dear for redeeming them, whom we ought to our Powers to preſerve; ſeeing hereby, we alſo ſecure our own, both Religion and Liberties, preventing the acceſs of the Rebels from thence, by inabling our Army to continue there, which will conſequently contain them within that Kingdom, a thing earneſtly to be intended, conſidering what courſes are ſet on foot at *Oxford*, for bringing them into this Kingdom.

Not to inſiſt how much it imports all the Adventurers, Lenders and Contributers, all Merchants, and indeed the whole Nation to advance a conſiderable Sum to what they have applyed unto that Work for the now compleating thereof; nor to be more particular in laying before the World, how the King (ſeduced by evil Counſels) doth deny his concurrence to the Bill lately ſent him as a moſt neceſſary expedient for that Work.

We have therefore thought fit to appoint a ſpecial Committee for that purpoſe, and have reſolved in the midſt of our Diſtractions here, (as a thing wherein the welfare of our Religion, the Honour of our *Engliſh* Nation, and the ſafety of this Kingdom is ſo nearly concerned) to contribute by all poſſible means to the preſervation of that Kingdom.

And although the great Burdens which lie upon the Subjects for maintenance of the Armies, raiſed for the neceſſary defence of this Kingdom, will not ſuffer us to lay any preſent charge upon them, yet our tender care of *Ireland* is ſuch, that in purſuance of a Vote of the Houſe of Commons, an Ordinance is now ready to paſs, whereby a charge ſhall be ſet of two hundred thouſand pounds upon this Kingdom, to be aſſeſſed upon the ſeveral Counties, according to the Proportion of the Bill of four hundred thouſand pounds, and to be paid in two years, by which time we hope the Diſtractions of this Kingdom, by God's Mercy, may be ſo ſettled, that the Subjects ſhall with eaſe and cheerfulneſs bear this neceſſary Burden, and by this means we conceive this future charge will give preſent credit for the relief of the ſtarving condition of *Ireland*, which is intended to be laid upon this Kingdom, as an Adventure for Land in *Ireland*, for the benefit of the ſeveral Counties proportionable to the Sums that ſhall be raiſed in the particular Counties to be imployed to the eaſe of their Publick Charge.

And

And do likewiſe earneſtly recommend the care of that Work to all ſuch as are really affected to our Religion, and the Cauſe we have in Hand, to advance Moneys for that uſe, either by way of Adventure, Loan, or weekly Contribution, in ſuch manner as ſhall be agreed on by the Committee, and approved by the Parliament; wherein both Houſes of Parliament intend to ſhew that good Example, which they hope all others will follow. 19 Caroli.

For what may be advanced by way of Adventure, it is already provided in a late Ordinance of Parliament, that all new Adventurers ſhall receive the ſame Advantages granted to the former in the Act of Parliament for the Adventurers of *Ireland*; and in the ſame Ordinance Proviſion is made for the ſecurity of all ſuch as ſhall voluntarily lend to ſo pious a Work: All which Moneys now propoſed to be advanced, ſhall only have their Aſpect forwards (without conſideration of former Arrears,) and be diſpoſed of with all poſſible care, to the beſt advantage of this preſent Summers ſervice. And for what hath been formerly raiſed to that purpoſe, it ſhall moſt evidently appear to all the World, that it hath been with a great overplus diſpoſed of for the uſe of *Ireland*; and that all Aſperſions of that Nature, caſt upon the Parliament, have been but the malicious Pretences of diſaffected Perſons, to excuſe their own backwardneſs, and diſhearten ſuch as deſire to prevent the ruine of our Religion; which we hope by our cordial and ſeaſonable Endeavours may ſpeedily be prevented, and this War ſoon brought to a happy concluſion: And herein the concurrence of moſt of the Officers of that Kingdom adminiſters great encouragement, who are deſirous (ſo well they affect that Work) to underwrite the one half of their Arrears due by way of Adventure for Land, and alſo take the one half of what ſhall grow due and is to come, likewiſe on the Condition of the Subſcribers, at the reducing of that Kingdom, deſiring only to ſubſiſt until the Work be finiſhed.

We have ſo juſt reaſon, upon theſe many and convincing grounds, to be ſenſible of the extraordinary Care and pious Intentions of the well-affected Party in this Kingdom, as we muſt not or cannot doubt of their ready Zeal in the ſetting forward of ſo Pious, ſo Charitable a Work, wherein the Religion we profeſs lies at the ſtake; and the lives of ſo many thouſands of our poor Proteſtant Brethren are in apparent danger, unleſs by preſent relief their approaching ruine be timely prevented; nor can we well expect that God will long bleſs us, if we be wanting to our Brethren, whoſe preſervation is ſo immediately linked to our own ſafety, that we have much cauſe to ſuſpect this Kingdom is much endangered, when we have once abſolutely loſt that of *Ireland*.

For ſuch is the Malice of the Rebels to our Nation, that if they once root us out of that Kingdom, they will not deſpair, by themſelves and their Confederates, wholly to extirpate both us and our Religion out of the Chriſtian World.

For remedy whereof, in ſo much as the general ways obſerved on the laſt Act of Contribution have not procured ſuch means of relief as are neceſſary, (though divers, both Perſons and Pariſhes, have been very bountiful,) ſeveral of that Kingdom, with others, are therefore directed to ſollicite the buſineſs, by ſuch particular applications as may be hoped (in a Work ſo earneſtly crying for relief,) will beget competent Supplies for giving that Kingdom a Being, and in all likelihood preſerving this from final undoing; which as it muſt be acknowledged to the already Contributers, ſo is and ſhall be eſteemed, by thoſe who hereafter put Hand to the Work, as a moſt acceptable Service to this and that Kingdom.

Theſe things conſidered, we deſire that all well-affected People, would heartily apply themſelves to prevent ſuch Miſchief, by cheerful contributing to ſo Pious a Work; which will be an Act, in the eſteem of all the World, very commendable, and extreamly acceptable to God and all good Men.

Die Lunæ, 19 Junii, 1643.

THE Committee appointed by the Houſe, the 19th. of *May*, 1643. for the better expediting the Affairs of *Ireland*, together with the Committee of the Adventurers in *London* newly elected, or any eight of them, ſhall have power to call to their aſſiſtance ſuch other Perſons as they ſhall think fit; and the ſaid Committee of Adventurers, ſhall have equal power to Vote with the Committee of the Houſe of Commons, in all matters concerning the managing

An. 1643. of the Moneys now to be raiſed for *Ireland*, by way of Adventure, or otherwiſe: And this Committee ſhall have likewiſe Power to appoint Treaſurers to peruſe the Accompts of ſuch as have been formerly imployed, to be ready for the view of the Houſe, to reward ſuch as they muſt neceſſarily imploy in this Service, and to iſſue out any of theſe Moneys now to be raiſed for the Affairs of *Ireland* by Order from this Committee, and to manage all matters for the good of the future Service, according as they ſhall find moſt expedient, being ſtill to give an account to the Houſe of their Proceedings, as oft as ſhall be required.

Die Lunæ, 19 Junii, 1643.

Reſolved upon the Queſtion,

That this Houſe doth declare, that they will in a ſhort time ſend over a Commander in Chief into Ireland, *ſuch as this Kingdom ſhall have good cauſe to confide in.*

Reſolved upon the Queſtion,

That this Houſe doth think it fit to ſend over Committees into the ſeveral Provinces of Ireland, *whereof one in each to be of the Houſe of Commons, and one choſen by the Adventurers, from whom they may expect ſuch continual Intelligence of the conditions of each Province, that they may make their Proviſions accordingly.*

Die Lunæ, 19 Junii, 1643.

Propounded from the Committee,

That an Ordinance may be brought in for the Adventurers, who ſhall now depoſite a fourth part of what formerly is ſubſcribed and paid, that they ſhall have ſo many Acres of Land added to what is allotted by the former Act of Parliament, as ſhall make their former proportion of Acres double to what is granted by the Act, as alſo for what they ſhall now pay upon the Ordinance, with all Privileges as formerly. And whoſoever ſhall ſubſcribe De novo, *ſhall have the like double proportion of Land for his new ſubſcription.*

The Adventurers to be ſet in ſuch Province as they ſhall chuſe.

That ſuch as deſire to Plant together, may be permitted ſo to do, they declaring the ſame at their new Subſcriptions, or within a Month.

That the Houſe declares an Act or Acts of Parliament ſhall be prepared in due time, to paſs both in England *and* Ireland *for confirming whatſoever now paſſeth by Ordinance.*

Reſolved, &c.

That this Houſe doth agree, that an Ordinance be prepared and drawn in purſuance of theſe Propoſitions.

H. Elſyng. Cler. Parl. D. Com.

Propoſitions touching Ireland.

Die Lunæ, 19 Junii, 1643.

FOraſmuch as many, both Adventurers for Land in *Ireland* and others, are willing to apply themſelves by all good means for bringing that great good Work to ſome perfection, well knowing, what conſequence the loſs of that Kingdom will be to this, both in relation to the ſecurity and firm Peace of the State, and alſo in reſpect of the Cauſe of Religion, which muſt be deeply wounded in caſe that Kingdom ſhould become wholly Popiſh. And foraſmuch as the Subſcriptions upon the ſeveral Acts of Parliament, do not engage a third part of the Land deſigned to be applied to that Work by thoſe Acts, and

that

19 *Caroli.*

that the time limited for underwriting by thoſe Acts is elapſed; we being deſirous to make up what was wanting in the former Subſcriptions, in ſome proportion to our Abilities, do humbly offer, That both Houſes of Parliament will give ſuch Encouragement, as may induce thoſe who are Merchants, and live on Trades, to adventure conſiderable Sums, by paſſing an Ordinance in theſe following, or the like particulars.

That ſo much of the City and Suburbs of *Limerick* as is eſcheated, with the Iſland of *Eniſhcattery*, and the Fiſhings of the River, with other Immunities belonging to the City, and Twenty four Thouſand Acres of confiſcated profitable Land, next contiguous to that City, may be ſecured to the Adventurers, who ſhall now underwrite; the ſaid City and Land being made over to them and their Heirs, *&c.* in free and common ſoccage, as of His Majeſty's Caſtle of *Dublin*, with ſuch Immunities as are granted to the City of *Briſtol*, and ſuch other Privileges as be contained in the Acts of Parliament for Subſcriptions on Lands in *Ireland*; provided the ſeveral Sums to be underwritten, do amount in the Total unto Sixty Thouſand Pounds; there being reſerved to His Majeſty for the ſame, the yearly Rent of one Thouſand two Hundred and Fifty Pounds *per Annum*.

That the Town of *Galloway*, in *Connaught*, with Twenty Thouſand Acres of Land and Immunities, as aboveſaid, ſhall be ſecured unto ſuch as Adventure for that City and Land, provided, that the Total of the Subſcriptions amount unto Fifty Thouſand Pounds; His Majeſty's Rent one Thouſand and Forty Pounds.

That the City of *Waterford* in *Munſter*, with Thirty Thouſand Acres of Land and Immunities, as aforeſaid, ſhall be ſecured to ſuch as adventure for that City and Land, provided the Total of their Subſcriptions amounts unto Sixty Thouſand Pounds; the Rent to His Majeſty, *per Annum*, one Thouſand two Hundred and Fifty Pounds.

That the Town of *Wexford*, with twelve Thouſand Acres of Land and Immunities, as aforeſaid, ſhall be ſecured to ſuch as adventure for that Town and Land; provided the Total of their Subſcriptions amount unto Fifteen Thouſand Pounds; the Rent to His Majeſty, *per Annum*, three Hundred and twelve Pounds eight Shillings eight Pence.

And ſeeing the courſe of paſſing Bills is ſo much obſtructed, that the Kingdom of *Ireland* will be loſt, if ſome effectual and ſpeedy courſe be not taken, the Adventurers deſire to be ſecured, that ſuch Conditions, as ſhall be now paſſed by Ordinance, ſhall be turned into an Act or Acts of Parliament, for their more fit and unqueſtionable ſecurity; which they humbly conceive will much further the Work.

That thoſe who have or ſhall underwrite any conſiderable Sum upon the ſaid Propoſitions for Cities, and have formerly adventured, or ſhall underwrite for Lands in the Kingdom at large, ſhall be accommodated to have his Lands ſet out as near unto thoſe Cities (for which he ſhall ſubſcribe) as may be.

And in caſe the reſpective Sums, whereat the ſaid Cities, Towns, and ſaid Lands adjacent are valued, be not wholly underwritten; yet the Underwriters ſhall have ſo much in proportion out of thoſe Cities, Towns, and Lands adjacent, as their Adventure ſhall amount unto, to be ſet forth by indifferent Commiſſioners to be Named by both Houſes.

The Houſe doth allow of theſe Propoſitions; and it is Ordered that the Houſe will apply their Authority for making good of the ſame.

H. Elſyng, Cler. Parl. D. Com.

The Form of the Subſcriptions, *June* 24. 1643.

WHereas the *Honourable Houſe of Commons have fully condeſcended to the Propoſitions made by the joint Committee of Adventurers, as by an Order of the* 19*th. of* June, 1643, *doth appear, That ſo good a Work may not ſuffer through the want of neceſſary ſupply, which is now hoped may be ſoon brought to a very good condition, we whoſe Names are underwritten, do hereby oblige our ſelves to the payment of the Sums to our Names affixed at* Grocers-*Hall, unto Mr.* James Bunce, *Mr.* Thomas Foot, *Mr.* John Kenderick, *Aldermen, and Mr.* Sam Avery *Eſquire*

An. 1643. *Eſquire, Treaſurers, appointed for that Service, whoſe Acquittance, or any two of them, ſhall be ſufficient to entitle the ſaid Subſcribers to ſuch Adventure, unto which they ſhall ſubſcribe, and be a diſcharge for ſuch other payments as ſhall be brought in upon the other Propoſitions; the ſeveral payments to be made as followeth, viz. One third within Ten Days, another third within one Month after, and the laſt third within two Months after that: So as all our Adventure is to be fully paid in within three Months after our ſaid Subſcription. And we whoſe Names are underwritten, will make our Election to which of the Propoſitions we will apply our Adventure, at the time of our ſaid firſt payment.*

The King's Letter to the Lords Juſtices to agree to a Ceſſation of Arms for a year, July 2. 1643.

C. R.

RIght truſty and well-beloved Counſellors, and right truſty and intirely well-beloved Couſin and Counſellor, we Greet you well: The preſent Diſtractions here have rendred us as unable, as by Experience we find the remaining part of the Two Houſes are unwilling to ſupply or relieve our Army in *Ireland*; and if the Money we conſented ſhould be raiſed in this our Kingdom for the relief of *Ireland*, had not been diverted by them, and rebelliouſly imployed againſt us here in *England*, we ſhould not have been conſtrained to have hearkned to a *Ceſſation* of Arms now on that ſide; but ſince we ſee no other hope, during the unhappy Diſtempers here, to ſettle the Peace of that our Kingdom, but by a Ceſſation of Arms between us and the *Iriſh* now in Arms there, and doubt very much, how our Forces now in that our Kingdom will be there maintained, if we ſhall admit of a Ceſſation: We have thought it expedient, by theſe our Letters, to recommend it to your care and induſtry to conſider ſeriouſly how our Forces on that ſide may be enabled to ſubſiſt, during a Ceſſation; and if there may be means found for that, we do then hereby authorize and require you, to *agree to a Ceſſation of Arms there for a year*; and in our Name to aſſure the ſaid *Iriſh*, that we are graciouſly inclined to Diſſolve the preſent Parliament, and call a new one, between this and the 10th of *November* next; and to take a courſe, to put all thoſe that ſhall be choſen Members of the ſaid Parliament, into ſuch a Condition, as they ſhall not be prejudiced of the Liberty of aſſiſting, ſitting, and voting in the ſaid Parliament; for better effecting whereof, we do hereby farther authorize and require you, *to give Licenſe* to ſuch Commiſſioners as the ſaid *Iriſh* ſhall appoint *to come over* hither to us, to Treat of that buſineſs, and ſuch other particulars (to be propoſed by way of Petition) as ſhall neceſſarily conduce, not only to the ſettling of the ſaid Ceſſation, but to a preparation of what ſhall be requiſite for the ſettling of a juſt, honourable, and perfect Peace in that our Kingdom. And we farther require, in caſe the ſaid *Iriſh* now in Arms, ſhall agree to ſuch a Ceſſation and Treaty, *to advertiſe* us of ſome ſuch able and fitting Miniſters, or Servants of ours on that ſide, as you conceive fit to be ſent over hither to aſſiſt in the Treaty here, when Commiſſioners ſhall come over from the ſaid *Iriſh*; in which buſineſs we require you to uſe all convenient Expedition, and to give us a ſpeedy account; for which theſe our Letters ſhall be your Warrant.

Given under our Signet at our Court at Oxford, July 2. *in the 19th. year of our Reign,* 1643.

To our right truſty and well beloved Counſellors, Sir John Borlace *and Sir* Henry Titchburn, *Knights, Lords Juſtices of our Kingdom of* Ireland; *and to our right truſty and entirely beloved Coſin and Counſellor,* James *Marqueſs of* Ormond, *Lieutenant-General of our Army there.*

A Com-

19 *Caroli.*

A Commiſſion from the Confederate Catholicks at Kilkenny, *to treat for a Ceſſation of Arms.*

A Commiſſion from the Confederate Catholicks at *Kilkenny, &c.*

WHereas His Majeſty's moſt faithful Subjects, the Confederate Catholicks of *Ireland*, were inforced to take Arms for the Preſervation of their Religion, for the Defence of His Majeſty's juſt Prerogatives and Rights, and the maintenance of the Rights and Liberties of their Countrey, laboured to be deſtroyed by the Malignant Party; And whereas His Majeſty, in his high Wiſdom, and Princely Care of his ſaid Subjects Welfare and Safety, and at their humble ſuit, That His Majeſty might be graciouſly pleaſed to hear their Grievances, and vouchſafe Redreſs therein, did direct there ſhould be a *Ceſſation of Arms*, and thereupon did authoriſe the Right Honourable the Lord Marqueſs of *Ormond* to treat and conclude the ſaid Ceſſation with the ſaid Confederate Catholicks:

KNOW YE, That the ſaid Council, by the expreſs order and authority of the ſaid Catholicks, by them conceived in their general Aſſembly at *Kilkenny*, on the *20th day of the laſt month* of *May*; and in purſuance of the ſaid order and authority, repoſing ſpecial Truſt and Confidence in the Wiſdom, Circumſpection, and provident Care, Honour, and Sincerity of our very good Lords, *Nicholas* Lord Viſcount *Gormanſton*, *Donnogh* Lord Viſcount *Muskerry*, and our very well-beloved Sir *Lucas Dillon* Knight, Sir *Robert Talbot* Baronet, *Tirlagh O Neal* Eſq; *Geoffery Brown* Eſq, *Ever Mac-Gennis* Eſq; and *John Walſh* Eſq; have conſtituted and ordained, and by theſe preſents do conſtitute, appoint, and ordain the ſaid *Nicholas* Lord Viſcount *Gormanſton*, &c. our Commiſſioners; and do by theſe preſents give and grant unto our ſaid Commiſſioners, or any Five or more of them, full Power and *Authority to Treat* with the ſaid Lord Marqueſs of *Ormond* of a Ceſſation of Arms, for one whole year or ſhorter, and to conclude the ſame for the time aforeſaid, upon ſuch Terms, Conditions, and Articles, as to the ſaid Commiſſioners in their Judgments, Conſcience, and Diſcretion ſhall be thought fit and expedient: by theſe preſents ratifying and confirming whatſoever Act or Acts our ſaid Commiſſioners as aforeſaid ſhall do or execute concerning the ſaid Ceſſation. *Given at* Kilkenny *the 20th of* June, 1643.

By the Lords Juſtices and Council.

Jo. Borlace. Hen. Titchburn.

An Order about the exchange of a Priſoner.

WE the Lords Juſtices and Council do declare, That if Captain *John Farrar* be forthwith releaſed by the Rebels, and ſafely ſent hither, that forthwith upon his coming ſo releaſed, we will give order for the releaſing of *Synnot*, lately employed as Captain amongſt the *Rebels*, out of Priſon, the Gaolers juſt Dues being firſt paid; and will then permit him freely to depart without interruption. *Given at His Majeſty's Caſtle of* Dublin, July *the 8th.* 1643.

La. Dublin
Ormond
Roſcommon
Bramſton
Ant. Midenſis
Tho. Rotheram
Jo. Temple
Fra. Willoughby
James Ware.

WE

An. 1643.

The *Iriſh* diſdain to be called Rebels, but averthemſelves to be Loyal Subjects.

WE do not know to whom this Certificate is directed; and we will avow our ſelves in all our Actions to be His Majeſty's *Loyal Subjects*, neither ſhall it be ſafe henceforth for any Meſſenger to bring any Paper to us containing other language, than ſuch as ſuits with our Duty, and the Affections we bear to His Majeſty's Service, wherein ſome may pretend, but none ſhall have more real deſires to further His Majeſty's Intereſt, than His Majeſty's loyal and obedient Subjects,

Montgarret — *Audley*
Muskerry — *R. Bealing*
Fr. Tho. Dublin — *Torlo O Neal*
Malachias Tuamen — *Patr. Darcy.*
Caſtlehaven

Reaſons why the Parliament of Ireland *ſhould not be determined.*

May it pleaſe your Lordſhips,

Reaſons why the Parliament of *Ireland* ſhould not be determined, *Sept.* 11. 1643.

ACcording to your Lordſhips Order of the 11th of *September* 1743. we have conſidered of ſuch inconveniences as we conceive may ariſe to His Majeſty and his Service, as Affairs now ſtand, if this preſent Parliament ſhould be determined; and have reduced the ſame to writing, which we humbly preſent to your Lordſhips further conſideration.

The greateſt part of the Free-holders of this Kingdom are now in actual Rebellion, whereby His Majeſty ought to be juſtly entitled to all their Eſtates both real and perſonal: This cannot be done, but by their Conviction and Attainder, which by courſe of Common-Law, will be very difficult to be effected, for theſe Reaſons following.

Firſt, Thoſe who are indicted in moſt of the Counties of this Kingdom cannot be attainted by Outlawry, by reaſon that the Sheriffs of thoſe Counties, by occaſion of the preſent Rebellion, cannot keep their County-Courts, to proclaim and make due Return of the Exigents; nor can they be attainted by Verdicts, for want of Jurors, moſt of all the Free-holders of the Kingdom being now in Rebellion.

Secondly, Thoſe that are not indicted, or thoſe that are already indicted, and in Priſon, or upon Bonds, cannot be proceeded againſt legally at the Common-Law, for want of Jurors, becauſe, as aforeſaid, moſt of the Free-holders are in Rebellion.

Therefore, of neceſſity, thoſe perſons muſt either not be attainted at all, or only by Act of Parliament; which is ſcarce poſſible to be effected, if this preſent Parliament be diſſolved or diſcontinued: For that upon a new Parliament to be ſummoned, the Knights and Burgeſſes muſt be elected by the Free-holders and Inhabitants reſpectively, moſt whereof are in Rebellion. And yet the preſent Parliament will be diſcontinued, unleſs a Commiſſion under the Great Seal of *England*, to the Lords now Juſtices, or other the chief Governour or Governours for the time being, be here before the 13th of *November* next, being the day of Prorogation, for the beginning of the next Seſſion of Parliament, to enable them to continue this preſent Parliament; the laſt Commiſſion for the continuance thereof being only to the Lords Juſtices, one whereof is ſince removed: unleſs the parties now in Rebellion being legally attainted, which cannot be here, as is aforeſaid, as the caſe now ſtands, but by Act of Parliament, His Majeſty cannot have power to diſpoſe of their Eſtates, as in his Wiſdom he ſhall think fit, either for the increaſing of his Revenues, or for the peaceable eſtabliſhment of this Commonwealth, and indifferent adminiſtration of Juſtice therein.

Richard Bolton Cancell. — *Geo. Shurley*
Gerard Lowther — *Ja. Donnalon*
Sa. Mayard.

Another

19 *Caroli.*

Another Letter to the Lords Juſtices, to make a Ceſſation; and after that, the Forces which were ſent againſt the Iriſh *to come over to aſſiſt His Majeſty againſt his* Engliſh *Rebels.* Sept. 7. 1643.

C. R.

Another Letter to the Lords Juſtices.

RIght Truſty and Well-beloved Counſellors, and Right Truſty and Entirely-beloved Couſin and Councellor, We greet you well. Whereas not only the great neglect of the Affairs of that Our Kingdom, by the remaining part of Our Houſes of Parliament, who pretended ſo great care of it, but their impious preventing all Supplies deſtined to their relief by Our Authority, (which did ever moſt readily concur to any Levy of Men, Money, or any other Work, in order to the Aſſiſtance of Our Proteſtant Subjects there) and employing the ſame in an unnatural War againſt Us their Liege-Lord and Sovereign, hath reduced Our Army in that Our Kingdom into ſo heavy ſtraights, that out of Our care of the preſervation of them, who ſo faithfully ventured their Lives for Our Service, We were brought to condeſcend to a Treaty for *a Ceſſation of Arms.* Our will and pleaſure is, and We do hereby charge and command you, That in caſe, unto the Authority given unto you by Us, you have agreed upon a Ceſſation; or as ſoon as you ſhall agree thereupon, You, or any Two of you, do immediately conſider of, and put in execution theſe Our following Commands.

I. That you agree upon what number of Our Army will be neceſſary to be kept in Garriſon there, for the maintenance of the ſame, during the time of the Ceſſation; and what Soldiers they ſhall be, and what perſons ſhall command the ſame; and that you ſettle them accordingly in that Command, as ſhall appear to your diſcretion to be moſt conducing to Our Service.

II. That you do conſider and adviſe of the beſt means of tranſporting the reſt of Our Army in that Our Province of *Leimſter*, excepting ſuch as are to be kept in Garriſon in Our Kingdom of *Ireland*; and to that end, We do hereby give You, or any One of you, full Power and Authority to hire all Ships, Barks, or Veſſels whatſoever, and to treat with any perſons whatſoever for the Loan, Hire, or Sale of any Ships, Barks, or Veſſels, upon ſuch Conditions as You, or any One of you, ſhall agree upon with them.

III. That in ſuch time and manner as to you ſhall ſeem meet, you communicate to the Officers and Soldiers of that Our Army this Our intention, *to make uſe of their known Courage and Fidelity in the Defence of Our Perſon and Crown, againſt the unnatural Rebellion* raiſed againſt Us in this Our Kingdom, and againſt the like laboured by the Rebels here to be raiſed againſt Us out of Our Kingdom of *Scotland.*

IV. That you ſignifie unto them, That We are the more moved and neceſſitated unto this courſe, foraſmuch as it is reſolved by ſome ill-affected perſons in that Our Kingdom of *Scotland*, to call over the Army of Our *Britiſh* Subjects out of Our Kingdom of *Ireland*, to the end to make uſe of them for the Invaſion of Us, and of Our good Subjects of *England.* And foraſmuch as this Rebellion againſt Us, under colour of the humility of Our Two Houſes of Parliament, hath exhauſted the means appointed by the concurrence of Our Royal Authority, for the ſuſtentation of that Our Army there, and by force hath ſtayed and taken from Us all thoſe Our Revenues which might have enabled Us to have ſupplied them in that Our Kingdom: We ought in reaſon (beſides the Bond of their Allegiance) to expect their ready concurrence againſt thoſe perſons who are as well the Cauſers of all the Miſeries they have endured, as of all the Injuries We have ſuffered.

V. That you aſſure them, both Officers and Soldiers, That upon their landing here, they ſhall immediately receive Our Pay, in the ſame proportion and manner with the reſt of Our Army here. And you are to aſſure the Soldiers, That all care ſhall be taken, that Cloaths, Shoes, and other Neceſſaries will be forthwith provided for them, after they are landed here; and that care ſhall

An. 1643. be taken for the Proviſion of ſuch as ſhall happen to be maimed here in Our Service, and for the Payment of all their Arrears, that ſhall be due to any of them that ſhall happen to be killed in the ſame, to their Wives, Children, or neareſt Friends. And you are to aſſure both Officers and Soldiers, That We will take ſpecial care to reward all ſuch, according to their Merit and Quality, that ſhall do Us any eminent Service in this Our War, againſt this odious and moſt unnatural Rebellion.

VI. We will and require you, and do hereby authoriſe you, to uſe your utmoſt Intereſt and Induſtry for the ſpeedy tranſportation of this forementioned part of Our Army, with their Arms, Horſes, and ſuch Ammunition, and the like, as you ſhall think fit, into Our Kingdom of *England*; and particularly, if it may be, to Our Fort of the City of *Cheſter*, or to the moſt commodious Haven in *North-Wales*. And for your Obedience in this, and every other of theſe Our Commands, this ſhall be to you, and every of you, ſufficient Warrant.

Subſcribed as before,
For the Lords Juſtices, and the Lieutenant-General of the Engliſh *Army.*

Given at Our Court at Eudly-Caſtle, 7 Sept. *in the Nineteenth Year of Our Reign.*

Articles of Ceſſation of Arms, agreed and concluded on at Siggings-Town *in the County of* Kildare, *the* 15*th day of* September, *in the Nineteenth Year of His Majeſty's Reign, by and between* James *Marqueſs of* Ormond, *Lieutenant-General of His Majeſty's Army in the Kingdom of* Ireland, *for and in the Name of our Gracious Sovereign Lord,* CHARLES, *by the Grace of God, King of* Great Britain, France, *and* Ireland, *&c. by Virtue of His Majeſty's Commiſſion, bearing date at* Dublin *the laſt of* Auguſt, *in the ſaid Nineteenth Year of His Majeſty's Reign, of the one part; and* Donnogh *Viſcount* Muskerry, *Sir* Lucas Dillon *Knight,* Nicholas Plunket *Eſq; Sir* Robert Talbot *Baronet, Sir* Richard Barnwel *Baronet,* Torlogh O Neal, Geoffrey Browne, Ever Mac-Gennis, *and* John Walſh, *Eſquires, Authoriſed by His Majeſty's* Roman Catholick Subjects, *of whoſe Party they are, and now in Arms in the ſaid Kingdom,* &c. *to treat and conclude with the ſaid Marqueſs for a Ceſſation of Arms, by virtue of an Authority given unto them, bearing date at* Caſhell *the 7th day of* September, *in the ſaid Nineteenth Year of His Majeſty's Reign, of the other part.*

Articles of Ceſſation of Arms with the *Iriſh*, agreed on *Sept.* 15. 1643.

Impr. IT is concluded and accorded, That there be a Ceſſation of Arms, and of all Acts of Hoſtility, between His Majeſty's ſaid *Roman Catholick Subjects*, who are now in Arms, *&c.* in this Kingdom; and their Party, and all others His Majeſty's good Subjects, for one whole year, to begin the 15th day of *September*, *Anno Domini* 1643. at the hour of Twelve of the Clock of the ſaid day.

Item, It is concluded and accorded, That free Paſſage, Intercourſe, Commerce, and Traffique, during the ſaid Ceſſation, ſhall be between His Majeſty's ſaid *Roman Catholick Subjects*, who are now in Arms, *&c.* and their Party, and all other His Majeſty's good Subjects, and all others in League with His Majeſty, by Sea and Land.

Item,

19 *Caroli.*

Item, It is concluded and accorded, and the ſaid Viſcount *Muskerry*, and the reſt of the abovenamed perſons, do promiſe and undertake, for and in the behalf of thoſe for whom they are authoriſed to treat and conclude as aforeſaid, That all Ships, Barks, and Veſſels, which ſhall bring Proviſions to any Harbour in this Kingdom in the hands or poſſeſſion of ſuch as ſhall obey the Articles of this Ceſſation, from *Minehead* and *Whitehaven*, and from all the Ports between, on that ſide where *Wales* is ſituate, ſo as they be Ships belonging to any of the ſaid Ports, and do not uſe any Acts of Hoſtility to any of the ſaid *Roman Catholicks* who are now in Arms, or to any of their Party, or to any who ſhall be waged or employed unto or by them, ſhall not be interrupted by any of their Party, nor by any Ships or other Veſſels, of what Country or Nation ſoever, under their Power or Command, or waged, employed, or contracted with on their behalf, or by any Forts, Garriſons, or Forces within this Kingdom under their power, in their coming to this Kingdom, or returning from hence.

Item, It is concluded and accorded, and the ſaid Lord Viſcount *Muskerry*, and the reſt of the above named parties, do promiſe and undertake, for and in the behalf of thoſe for whom they are authoriſed as aforeſaid, That all Ships, Barks, and Veſſels, which ſhall bring Proviſions to any Harbour in this Kingdom in the hands of ſuch as ſhall obey the Articles of this Ceſſation, from any Ports in the Kingdom, having His Majeſty's Paſs, or the Paſs of any who is or ſhall be His Majeſty's Admiral or Vice-Admiral, or the Paſs of any Governour or Governours of any the Ports in *England* in His Majeſty's hands, or which ſhall hereafter during this Ceſſation be in His Majeſty's hands, or the Paſs of the ſaid Marqueſs, ſhall not be interrupted by any of thoſe for whom the ſaid Lord Viſcount *Muskerry*, and the reſt of the above-named perſons, are authoriſed as aforeſaid, neither in their coming to this Kingdom, or in their return, ſo as they uſe not any Acts of Hoſtility to any of their ſaid party: And this to be a Rule untill His Majeſty's pleaſure be further declared therein, upon application of the Agents of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* to His Majeſty.

Item, It is concluded and accorded, and the ſaid *James* Marqueſs of *Ormond* doth promiſe and undertake, for and in the name of His Majeſty, That no interruption ſhall be given to any Ship or Ships under His Majeſty's Power and Command, or waged, employed, or contracted with, by, or in the behalf of His Majeſty, or any of His Majeſty's Forts, Garriſons or Forces within this Kingdom, to any Ship or Ships that ſhall trade with any of the ſaid *Roman Catholicks* who are now in Arms, *&c.* or any of their party, or which ſhall come in or go out of any of the Cities, Towns, Harbours, Creeks, or Ports of this Kingdom, in the hands of the ſaid *Roman Catholicks* now in Arms, *&c.* with Arms, Ammunition, Merchandiſe, Commodities, or any thing whatſoever, during this Ceſſation. As on the other ſide, the ſaid *Donnogh* Viſcount *Muskerry*, and the reſt abovenamed, of that party, do promiſe and undertake, for and in the behalf of thoſe by whom they are authoriſed, That no interruption ſhall be given by any Ship, or other Veſſel whatſoever, under the Power and Command of their party, or waged, employed, or contracted with, by or in the behalf of their party, or by Forts, Garriſons, or Forces within this Kingdom in their power, to any Ship or Ships that ſhall trade with any of His Majeſty's Subjects obeying this Ceſſation; or which ſhall come in or go out of any of the Cities, Towns, Harbours, or Ports of this Kingdom, which ſhall obey this Ceſſation, with Arms, Ammunition, Merchandiſe, Commodities, or any other thing whatſoever, during this Ceſſation. Provided that no Ship or Ships ſhall be admitted Free Trade by colour of this Article, but ſuch as are warranted by the precedent Articles.

Item, It is concluded and accorded, That the Quarters in the Province of *Leinſter* be as followeth, *viz.* That the County of *Dublin*, the County of the City of *Dublin*, the County of the Town of *Drogheda*, and the County of *Lowth*, ſhall remain and be, during the Ceſſation, in the poſſeſſion of His Majeſty's Proteſtant Subjects, and of ſuch as adhere unto them reſpectively; ſaving and excepting unto the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party, all ſuch Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed in the ſaid Counties, or any of them, by any of the ſaid party. And it is further concluded and accorded, That as much

An. 1643.

of the County of *Meath* as is on the Eaſt and South-ſide of the River of *Boyne*, from *Drogheda* to *Trim*, thence to the Lordſhip of *Moylagh*, and thence to *Moyglare*, and thence to *Dublin*, ſhall, during the ſaid Ceſſation, remain and be in the poſſeſſion of His Majeſty's Proteſtant Subjects, and of ſuch as adhere unto them, reſpectively; ſaving and excepting to the ſaid *Roman Catholick Subjects* now in Arms, and their party, all ſuch Caſtles, Towns, Lands, and Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September*, 1643. at the hour aforeſaid, are poſſeſſed by any of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and of their party, within the ſaid limits and boundaries. And that the reſidue of the ſaid County of *Meath* ſhall remain in the hands and poſſeſſions of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party, except the Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed within the ſaid laſt-mentioned Quarters in the County of *Meath*, by His Majeſty's Proteſtant Subjects, and ſuch as adhere unto them, or any of them reſpectively. And that ſo much of the County of *Kildare* as is on this ſide of the *Liffye*, where *Naas* is ſituate, and on the other ſide of this *Liffye*, from *Dublin* Weſtward into the County of *Kildare*, ſo far as the *Rye-water* at *Kilcock*; and ſo far betwixt that and the *Liffye*, as ſhall be at the ſame diſtance from *Dublin*, as the ſaid *Rye-water* is at *Kilcock* on the ſide *Liffye*, ſhall during the ſaid Ceſſation remain and be in the hands and poſſeſſions of His Majeſty's Proteſtant Subjects, and their Adherents reſpectively, except ſuch Caſtles, Towns, Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed within the ſaid Quarters by the ſaid *Roman Catholick Subjects* who are now in Arms, *&c.* and their party. And that the reſidue of the ſaid County of *Kildare*, ſhall remain in the hands of the ſaid *Roman Catholicks* now in Arms, *&c.* and their party, except ſuch Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed by His Majeſty's Proteſtant Subjects, and their adherents reſpectively, within the ſaid mentioned Quarters in the ſaid County of *Kildare*. And that the ſeveral Counties of *Wicklow*, *Weſtmeath*, *Kings-County*, *Queens-County*, *Catherlagh*, *Kilkenny*, County of the City of *Kilkenny*, *Wexford*, and *Longford*, ſhall, during the ſaid Ceſſation, remain in the hands of the ſaid *Roman Catholicks* now in Arms, *&c.* and their party; except ſuch Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed within the ſaid County by His Majeſty's Proteſtant Subjects, and their adherents reſpectively.

Item, It is concluded and accorded, That what Corn hath been ſown by any of His Majeſty's Army, or by any of his Proteſtant Subjects, or their adherents, or by any of them, within any of the Quarters allotted in the Province of *Leimſter* to the ſaid other party, the ſame ſhall be enjoyed by the Sowers and Manurers, paying for the ſame as they did agree; and in caſe they did not agree, paying the fourth Sheaf unto ſuch Garriſon within whoſe Quarters the ſame ſhall fall. And that in caſe any of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* or any of their party, have ſown Corn within any Quarters allotted in the Province of *Leimſter* to the ſaid other party, the ſame ſhall be enjoyed by the Sowers and Manurers, paying for the ſame as they did agree; and in caſe they did not agree, paying the fourth Sheaf unto ſuch Garriſons within whoſe Quarters the ſame ſhall fall. And it is likewiſe concluded and accorded, That thoſe places which have been protected by the Lords Juſtices, or any Officer of His Majeſty's Army, do pay according to the agreement which was made, and if no agreement were made, to pay the fourth Sheaf to thoſe Garriſons or perſons who protected them, in whoſe-ſoever Quarters they are; and this to continue for a Rule no otherwiſe than as to ſo many of thoſe Garriſons who granted ſuch Protection, and are ſince regained by the ſaid party, or ſome of them, for whom the ſaid *Donnogh* Viſcount *Muskerry*, and the perſons above-named, are authoriſed as aforeſaid. And that the Tenants of the Town of *Balliboght* in the County of *Dublin*, if they have not been protected, ſhall pay according to agreement; and if no agreement made, then the fourth Sheaf, and to continue their poſſeſſion during this Ceſſation. And it is further concluded and accorded, That where His Majeſty,

jeſty, or any of his Proteſtant Subjects or their adherents, ſhall happen to have any Garriſon or Garriſons within the Quarters ſet forth in the next precedent Article, or the ſaid other party, that ſuch Garriſon or Garriſons ſhall have ſuch competency of the Lands, as well profitable as unprofitable, now termed Waſte, as ſhall be found neceſſary for them, by any indifferent Commiſſioners to be appointed for that purpoſe. 19 *Caroli.*

Item, It is concluded and accorded, That the Quarters in the Province of *Munſter* be as followeth, *viz.* That the County of the City of *Cork*, and ſo much of the County of *Cork* as is within the ſubſequent Garriſons, *viz.* from *Youghal* to *Moogeely*, thence to *Formoye*, thence to *Michaels-Town*, thence to *Liſcarrol*, and ſo in a line from *Michaels-Town* and *Liſcarrol* Northward, as far as His Majeſty's Out-garriſons on that ſide do extend, and from *Liſcarrol* to *Wallow*, thence to *Cork*, thence to *Carrig-Croghan*, thence to *Rochfords-Town*, thence to *Bandon-bridge*, thence to *Timmoleagie*, and thence forward to the Sea, together with the ſaid Garriſons, ſhall, during the ſaid Ceſſation, remain and be in the poſſeſſion of His Majeſty's Proteſtant Subjects, and of ſuch as adhere unto them; ſaving and excepting to the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party, all ſuch Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which on the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed in the ſaid Counties, or any of them, by any of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party. And that the reſidue of the ſaid County of *Cork* ſhall likewiſe remain to the ſaid party laſt named, ſaving and excepting to His Majeſty's Proteſtant Subjects, and their adherents, all ſuch Caſtles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which on the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed in the laſt mentioned Quarters by them, or any of them. And that the County of *Tipperary*, the County of *Limerick*, the County of the City of *Limerick*, the County of *Kerry*, the County of *Waterford*, the County of the City of *Waterford*, and the County of *Clare*, ſhall, during the ſaid Ceſſation, remain and be in the poſſeſſion of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party, except *Knocknoxne*, *Ardmore*, *Piltowne*, *Cappoquin*, *Ballinetra*, *Stroncally*, *Liſmore*, *Balliduffe*, *Liſinny*, and *Tallow*, all ſituate in the County of *Waterford*, or as many of them as are poſſeſſed by His Majeſty's Proteſtant Subjects, and their adherents, the ſaid 15th day of *September* 1643. at the hour aforeſaid; and likewiſe except all ſuch Caſtles, Towns, Lands, Territories, and Hereditaments thereunto belonging, as within the ſaid Counties reſpectively on the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed by any of His Majeſty's Proteſtant Subjects, or ſuch as adhere unto that party reſpectively, in the ſaid County of *Waterford*, and the reſt of the laſt mentioned Counties. And 'tis concluded and accorded, That the like Rule for Corn ſown, and what ſhall be paid by places protected, and for the laying out Waſtes, for the reſpective Garriſons, ſhall be obſerved in the Province of *Munſter*, as it is ſet down for *Leinſter*.

Item, It is concluded and accorded, That the Quarters in the Province of *Ulſter* be as followeth, *viz.* That ſuch Counties, Barronies, Lands, Tenements and Hereditaments in the Province of *Ulſter*, which the ſaid 15th of *September* 1643. at the hour aforeſaid, are poſſeſſed by any of His Majeſty's Proteſtant Subjects, or any that adhere unto them, and all places protected by any Commander deriving Authority from His Majeſty, ſhall, during the ſaid Ceſſation, remain entirely in the hands and in the poſſeſſion of His Majeſty's Proteſtant Subjects, and ſuch as adhere unto them; excepting ſuch Caſtles, Lands, and Hereditaments as on the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed by the ſaid *Roman Catholick Subjects* now in Arms, *&c.* or their party; and that all ſuch Counties, Baronies, Lands, Tenements, and Hereditaments, in the ſaid Province, which on the ſaid 15th of *September*, 1643. at the hour aforeſaid, are poſſeſſed by the ſaid *Roman* Catholick Subjects now in Arms, *&c.* and their party, ſhall remain intirely, during this Ceſſation, in the hands and poſſeſſion of the ſaid *Roman Catholick Subjects* now in Arms, *&c.* and their party, ſaving and excepting thereout all places protected by any Commander deriving Authority from His Majeſty; and likewiſe excepting thereout all ſuch Territories, Caſtles, Towns, Lands, Tenements, and Hereditaments, which on the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed by any of His

An. 1643. His Majeſty's Proteſtant Subjects, or ſuch as adhere unto them. And it is concluded and accorded, That the like Rule for Corn ſown, and what ſhall be paid for protected places, and for the laying down of Waſtes for the reſpective Garriſons, ſhall be obſerved in the Province of *Ulſter*, as is ſet down for *Leimſter*.

Item, It is concluded and accorded, That the Quarters in the Province of *Connaught* be as followeth, *viz.* that the County of *Galloway*, the County of the Town of *Galloway*, the Counties of *Mayo*, *Roſcommon*, *Sligo*, and *Letrym*, in the Province of *Connaught*, and all ſuch Caſtles, Lands, Tenements, and Hereditaments, in the ſaid Province, which the ſaid 15th day of *September* 1643. at the hour aforeſaid, are poſſeſſed by the ſaid *Roman* Catholick Subjects, now in Arms, *&c.* and their Party, ſhall, during the ſaid Ceſſation, remain intirely in the Poſſeſſion of the ſaid *Roman* Catholick Subjects now in Arms, and their Party, excepting all ſuch Territories, Caſtles, Lands, Tenements, and Hereditaments, within the ſaid ſeveral Counties, which upon the ſaid 15th of *September*, 1643. at the hour aforeſaid, are poſſeſſed by any of His Majeſty's Forces, or by their Party, or by any of them; and that thoſe, who after taking Protection of any of His Majeſty's Forces, or any of that Party, or from any Governors, deriving Authority from His Majeſty there, have joyned themſelves to the ſaid *Roman* Catholick Subjects now in Arms, *&c.* and their Party ſhall pay no Contribution unto ſuch who protected them: But in regard there may be a rule different touching Perſons that may be ſaid to do this, and conſequently touching the Contributions payable by them, it is concluded and accorded, that ſuch Diſputes and Queſtions, if any ſhall ariſe, be determined by Commiſſioners, indifferently choſen on each ſide; and it is concluded and accorded, that the like rule of Sowers and Manurers of Corn, within the Quarters of each other, ſhall be obſerved in the Province of *Connaught*, as is ſet down for *Leimſter*.

Item, It is concluded and accorded, and the ſaid Marqueſs of *Ormond*, for and in the Name of His Majeſty, doth promiſe and undertake, that no Interruption ſhall be given to the ſaid *Roman* Catholick Subjects now in Arms, *&c.* or their Party, in any of the ſaid Counties, Quarters, or Places, by the precedent Articles, unto them or any of them limited as aforeſaid, during this Ceſſation; like as the ſaid *Donnogh* Viſcount *Muskerry*, and the reſt of the abovenamed Perſons, who are authorized as aforeſaid, do promiſe and undertake, that no Interruption ſhall be given unto any of His Majeſty's Forces, Proteſtant Subjects, or ſuch as adhere unto them, within any of the ſaid Counties, Quarters, or Places, by the precedent Articles limited unto them, as aforeſaid, during the ſaid Ceſſation.

Item, It is concluded and accorded, that no Officer of the Army, or Soldier, of either ſide, ſhall be admitted without Licenſe from the Commander in Chief of the Army, on both ſides, or of the Commander of the next chief Garriſons reſpectively, to paſs or repair into any Garriſon on either ſide; ſave that it be lawful for either Party to furniſh any Garriſon in their power, during the Ceſſation, with Victuals, Cloth, Ammunition, or other neceſſaries by Licenſe, as aforeſaid, which is not to be denied upon demand.

Item, It is concluded and accorded, that if any Army or Forces in this Kingdom, raiſed by His Majeſty's Authority, or any part thereof, or any other His Majeſty's Subjects, ſhall not yield Obedience to the Articles of this Ceſſation, but ſhall publickly ſtand in oppoſition thereunto, that the ſaid *Roman* Catholick Subjects now in Arms, *&c.* and their Party may proſecute ſuch. And the ſaid *James* Marqueſs of *Ormond*, doth promiſe and undertake, that ſuch who ſhall ſtand in oppoſition, ſhall not be aſſiſted, protected, or defended againſt the ſaid *Roman* Catholick Subjects now in Arms, *&c.* or their Party, by His Majeſty or any of His Forces; and yet nevertheleſs the ſame ſhall not be underſtood to be any breach of Ceſſation, as to other parts of the Kingdom, which ſhall conform and yield thereunto. And whereas the Aſſiſtance of His Majeſty's Forces is deſired by the ſaid *Roman* Catholick Subjects now in Arms, *&c.* againſt ſuch as ſhall oppoſe the Articles of this Ceſſation, and will not yield Obedience thereunto, or interrupt the Trade and Traffick, albeit that it is not to be ſuppoſed that there will be any ſuch, the ſaid *James* Marqueſs of *Ormond* doth farther promiſe and undertake, that their ſaid requeſt ſhall be made known to His Majeſty; and upon ſignification of His Pleaſure the ſame ſhall be obeyed.

Item, It is concluded and accorded, that if in other caſes it be pretended on either ſide, that the Ceſſation is violated, that yet no Act of Hoſtility is immediately

19 *Caroli.*

diately to follow, but firſt the Party complaining is to acquaint the Lord General, Lieutenant-General, or other Chief Commander of either ſide of that Province, in which the ſaid Ceſſation is pretended to be violated, therewith, and to allow fourteen days after notice given for reparation, if ſatisfaction be not given or rendred, then fourteen days notice to be given before hoſtility begin.

Item, It is concluded and accorded, that all Priſoners and Hoſtages of both ſides, in all parts of the Kingdom, excepting ſuch of them as are indicted of any Capital Offence, ſhall be mutually releaſed and ſet at liberty, within ſeven days after Publication of the ſaid Ceſſation. And the ſaid Marqueſs of *Ormond*, doth farther promiſe and undertake, that ſuch Priſoners who are indicted of any Capital Offence, ſhall be ſet at Liberty upon Bail, until His Majeſty's farther Pleaſure be known therein; provided nevertheleſs, that if any Party of His Majeſty's Army in any other Province of the Kingdom, ſhall not within ten days after publication of theſe Articles, yield obedience thereunto; that the ſame ſhall be no breach of Ceſſation, but that His Majeſty be firſt made acquainted with ſuch diſobedience, and His direction expected therein. And that all other Perſons, that do reſide with either Party, and all Women and Children, ſhall be permitted within ſeven days after publiſhing of this Ceſſation, or when they pleaſe, with their Goods and Chattels, to depart to what place they pleaſe with a ſafe Conduct or Convoy if they deſire it.

Item, It is concluded and accorded, that the ſaid *Roman* Catholick Subjects, now in Arms, *&c.* and their Party, may at any time, during the Ceſſation, ſend ſuch Agents to His Majeſty as they ſhall think fit, and that the ſaid Agents ſhall have ſafe Conduct, in writing, from the chief Governor or Governors of this Kingdom for the time being upon demand.

Item, It is concluded and accorded, and the ſaid Marqueſs of *Ormond* doth promiſe and undertake, for, and in the Name of His Majeſty, that all and every of the precedent Articles which have been, agreed unto, and undertaken by the ſaid Marqueſs, for, and in the behalf of His Majeſty, ſhall be faithfully, truly, and inviolably obſerved, fulfilled, and kept. And the ſaid Viſcount *Muskerry*, Sir *Lucas Dillon* Kt. *Nicholas Plunket* Eſq; Sir *Robert Talbot* Bar. Sir *Richard Barnwell* Bar. *Thorlogh O-Neal*, *Ever Mac Gennis*, *Geffry Browne*, and *John Walſh*, Eſquires, for, and in the behalf of the ſaid *Roman* Catholick Subjects now in Arms, *&c.* and their Party, do promiſe and undertake, that all and every of the precedent Articles, which have been agreed unto and undertaken by them, for, and in the behalf of their Party, ſhall be faithfully, truly, and inviolably obſerved, fulfilled, and kept.

Laſtly, It is concluded and accorded, that all Poſſeſſions, and likewiſe all Goods and Chattels, that ſhall be found in *ſpecie*, taken by their Party, after the hour of 12 aforeſaid, and before publication of this Ceſſation, ſhall be reſtored to the Owners; and after publication all Poſſeſſions and Goods that ſhall be taken to be reſtored to the Owners upon demand, or Damages for the ſame.

In Witneſs whereof, the ſaid Marqueſs to the part of the ſaid Articles, remaining with the ſaid Viſcount *Muskerry*, and the reſt of the above-named Perſons, hath put his Hand and Seal; and the ſaid Viſcount *Muskerry*, Sir *Lucas Dillon* Knight, *Nicholas Plunket* Eſq; Sir *Robert Talbot* Baronet, Sir *Richard Barnwell* Baronet, *Thorlogh O-Neal*, *Geoffry Browne*, *Ever Mac-Gennis*, and *John Walſh*, Eſquires, to that part of the Articles remaining with the ſaid Marqueſs of *Ormond*, have put their Hands and Seals the day and year firſt above-written.

Muskerry.	*Robert Talbot.*
Lucas Dillon.	*Mac-Gennis.*
Nicholas Plunket.	*Jo. Walſh.*
Barnwel.	*Geoffry Brown.*
Thor. O. Neal.	*Rich. Ever.*

A Pro-

An. 1643.

A Proclamation *concerning a Ceſſation of Arms, agreed and concluded on at* Siggings-Town, *in the County of* Kildare, *in* Ireland, *the* 15*th day of* September, *in the Nineteenth Year of His Majeſty's Reign.*

By the Lords Juſtices and Council.

Jo. Borlaſe, H. Titchburn.

A Proclamation of the Ceſſation, *Sept.* 19 1643.

UPon Conſideration had of the annexed *Articles of Ceſſation of Arms*, whereby it is concluded and accorded, *That there be a Ceſſation of Arms*, and of all Acts of Hoſtility, *for one whole year, beginning the* 15*th day of* September, Anno Dom. 1643. at the hour of 12 of the Clock of the ſaid day. We the Lords Juſtices and Council, *according to His Majeſty's Letters of the* 31*ſt day of* July *laſt*, do by this Proclamation, in His Majeſty's Name, ratifie, *confirm*, and publiſh the ſame: And do require all His Majeſty's Subjects, whom it may concern *by Sea* and *by Land* to take notice thereof, and yield all Obedience thereunto, and all the parts thereof.

Given at His Majeſty's Caſtle of Dublin *the* 19*th of* September, 1643.

R. Bolton, Canc.	*Ant. Midenſis.*	*Tho. Rotheram.*
La. Dublin.	*Cha. Lambert.*	*Fr. Willoughby.*
Ormond.	*Geo. Shirley.*	*Tho. Lucas.*
Roſcommon.	*Gerrard Lowther.*	*La. Ware.*
Edw. Brabazon.		

God Save the KING.

But before the News of this Ceſſation's being concluded arrived in *England*, the Parliament ſet forth the following Declaration to prevent it.

A De-

19 *Caroli.*

A Declaration of the Lords and Commons, aſſembled in Parliament, againſt the intended Ceſſation, or Treaty, with the Iriſh *Rebels.*

The Two Houſes Declaration againſt the Ceſſation or Treaty with the Rebels in *Ireland*, publiſhed, *Sept.* 30. 1643.

AS it is evident to all the World, that this late horrid Rebellion of the Papiſts in Ireland, did, without any colour or pretext of Provocation, profeſſedly and boldly aim at the Deſtruction of the Proteſtant Religion, the rejecting of the Laws of *England*, and the extirpation of the *Britiſh* Inhabitants out of that Kingdom: So it is no leſs manifeſt, that this Parliament of *England* (to whom His Majeſty hath left the managing of the War againſt thoſe Rebels) hath taken the Troubles of *Ireland* to heart, with that reſentment and compaſſion as may evidence their Zeal to Religion, their Love to their diſtreſs'd Country-men, and Brethren there, in theſe times, when the like Jeſuitical Practices have caſt *England* into woful Diſtractions and an unnatural War, notwithſtanding which the reducing of *Ireland* hath ſtill been a chief part of the care of this Parliament; and God hath been pleaſed to bleſs our Endeavours with ſuch ſucceſs, as that thoſe furious, blood-thirſty Papiſts have been ſtopped in the career of their Cruelty, ſome part of the Proteſtant Blood, which at firſt was ſpilt like Water upon the ground, hath been revenged, their Maſſacres, Burnings, and Famiſhings, have by a Divine retaliation been repaid into their Boſom; and the Proteſtant Party hath been erected to that condition of Strength and Hope, that their Enemies are conſtrained (diſtruſting their Forces) to have recourſe to their Craft and Policies; and therefore by their ſubtile Agents at Court, and their active Inſtruments elſewhere, have been endeavouring now of a long time to make our Armies in *Ireland* diſaffected to the Parliament, what by occaſion of their Wants not ſo readily ſupplyed as their need required, what by amuſing them with theſe unhappy Differences fallen in here between King and People, labouring by theſe means to divide thoſe Forces into Factions, to the end the main Work they have in Hand might be neglected, which is the proſecuting of the War againſt the Rebels, ſo far brought low in ſome parts of *Ireland*, that if they can be deprived of the benefit of this Harveſt, they are not likely to ſee the next Summer. And therefore the Rebels finding, that notwithſtanding the Diſtractions here occaſioning the ſlowneſs and ſcarceneſs of Supplies, yet they themſelves are in a far worſe condition, being in want of moſt things neceſſary, not only for the maintaining of a War, but even of Life; the Judgment of God being remarkable upon them in this, that as their bloody and treacherous Religion made them inhumanely cruel in ſhedding the Proteſtant's Blood; ſo now the Famine amongſt many of them hath made them unnaturally and Cannibal-like eat and feed one upon another: Therefore that they may have time to expect from their Friends abroad new Supplies both of Victuals and Ammunition, and may without moleſtation reap the Fruit of this Harveſt, they have laboured a Treaty for a Ceſſation, which Project of theirs doth no leſs aim at the overthrow of the remainder of the Proteſtants in that Kingdom, than their treacherous taking of Arms at firſt did intend the deſtruction of them all; for their Ceſſation and Hoſtility, their War and Peace are alike to be eſteemed of, and with thoſe that neither in Peace nor War keep any Faith, it is beſt to be in perpetual defiance: Therefore the Lords and Commons in Parliament aſſembled, according to their continued care of that Kingdom of *Ireland*, do in a ſpecial manner take into their conſideration the condition thereof, upon this occaſion of an intended Ceſſation; and ſo much the rather, becauſe it is feared that the Proteſtant Forces, through want of Proviſions for their Armies, may at laſt, if not relieved, be perſwaded to admit of this courſe, in hope thereby to procure ſome means for their ſubſiſting; as alſo becauſe there is too much ground to ſuſpect, that if this Ceſſation ſhould be agreed unto, they might have opportunity to joyn with the Popiſh Party here for their greater ſtrengthening; and though it were to have no influence upon this Kingdom, yet the evil Conſequences of it are ſo many and pernicious to *Ireland*, that this Parliament ſhould betray the truſt repoſed in

An. 1643.

them, if they did not declare againſt this Ceſſation, and uſe all means in time to make it prove Abortive. And therefore they deſire that it may be obſerved and taken notice of:

Firſt, From whence the Counſel and Deſign of this Ceſſation ariſeth, even from the Rebels and Papiſts themſelves for their own preſervation; for ſoon after they had miſſed of their intent, to make themſelves abſolute Maſters of that Kingdom of *Ireland* by their treacherous ſurprizes; and ſeeing that this Kingdom did with moſt Chriſtian and generous reſolutions, undertake the charges of the War for the relief and recovery of *Ireland*, Propoſitions were brought over from the Rebels by the Lords *Dillon* and *Taſe*, at which time they were intercepted and reſtrained by Order of the Houſe of Commons. After that, they had the boldneſs, even while their Hands were ſtill imbrued in the Proteſtant's Blood, to Petition His Majeſty that their demands might be heard; and for this purpoſe they obtained a Commiſſion to be ſent over into *Ireland* to divers Perſons of Quality (whereof ſome were Papiſts) to hear, receive, and tranſmit to His Majeſty their Demands, which was done accordingly; and one Maſter *Burke*, a notorious pragmatick *Iriſh* Papiſt, was the chief Sollicitor in this buſineſs. After this, the juſt revenging-God giving daily ſucceſs to handfuls of the Proteſtant Forces againſt their great numbers; ſo that by a wonderful Bleſſing from Heaven they were in moſt parts put to the worſt; then did they begin to ſet on foot an overture for a Ceſſation of Arms; concerning which, what going and coming hath been between the Court and the Rebels is very well known; and what Meetings and Treaties have been held about it in *Ireland*, by Warrant of His Majeſty's ample Commiſſion ſent to that effect; and what reception and countenance moſt pragmatick Papiſts negotiating the buſineſs, have found at Court; and that thoſe of the State in *Dublin*, who had ſo much Religion and Honeſty as to diſſwade the Ceſſation, were firſt diſcountenanced, and at laſt put out of their places and reſtrained to Priſon, as Sir *Will. Parſons* one of the Lords Juſtices there, Sir *John Temple* Maſter of the Rolls, Sir *Adam Loftus* Vice-Treaſurer of *Ireland* and Treaſurer at Wars, and Sir *Robert Meredith* one alſo of the Council Table.

Secondly, The Lords and Commons deſire it may be obſerved, That during all theſe Paſſages and Negotiations, the Houſes of Parliament were never acquainted by the State of *Ireland* with the Treaty of a Ceſſation, much leſs was their Advice or Counſel demanded, notwithſtanding that the care and managing of the War was devolved on them, both by Act of Parliament, and by His Majeſty's Commiſſion under the great Seal, *To adviſe, order, and diſpoſe of all things concerning the Government and Defence of that Kingdom.* But the wants of the Army were often repreſented and complained of, whereby with much craft a ground was preparing for the pretext, wherewith now they would cover the Counſels of this Ceſſation, as if nothing had drawn it on, but the extream wants of their Armies; whereas it is evident, that the reports of ſuch a Treaty have been (in a great part) the cauſe of their wants; for thereby the Adventurers were diſ-heartned, Contributions were ſtopped, and by the admittance to Court of the Negotiators of this Ceſſation, their wicked Counſels have had that influence, as to procure the intercepting of much Proviſions which were ſent for *Ireland*; ſo that Ships going for *Ireland* with Victuals, and others coming from thence with Commodities to exchange for Victuals, have been taken, not only by *Dunkirkers*, having His Majeſty's Warrant, but alſo by *Engliſh* Ships, commanded by Sir *John Penington*, under His Majeſty. And moreover, the Parliament Meſſengers, ſent into ſeveral Counties with the Ordinance of *January* laſt for Loans and Contributions, have been taken and impriſoned, their Money taken from them, and not one Penny either Loan or Contribution hath been ſuffered to be ſent in for *Ireland*, from thoſe Counties which were under the Power of the King's Army, while in the mean time the Houſes of Parliament by their Ordinances, Declarations, and Sollicitations to the City of *London*, and the Counties free from the terrour of the King's Forces, were ſtill procuring not contemptible aid and relief for the diſtreſſes of *Ireland*.

Mr. *Davis*'s Ships, and others.

Thirdly,

19 *Caroli.*

Thirdly, As the Lords and Commons have reaſon to Declare againſt this Plot and Deſign of a Ceſſation of Arms, as being treated and carried on without their advice; ſo alſo becauſe of the great prejudice which will thereby redound to the Proteſtant Religion, and the encouragement and advancement which it will give to the practice of Popery, when theſe Rebellious Papiſts ſhall by this agreement continue and ſet up with more freedom their Idolatrous Worſhip, their Popiſh Superſtitions, and Romiſh Abominations in all the places of their command, to the diſhonouring of God, the grieving of all true Proteſtant Hearts, the diſpoſing of the Laws, of the Crown of *England*, and to the provoking of the wrath of a jealous God; as if both Kingdoms had not ſmarted enough already, for this Sin of too much conniving at, and tolerating of Antichriſtian Idolatry, under pretext of Civil Contracts and Politick Agreements.

Fourthly, In the fourth place, they deſire it may be obſerved, that this Ceſſation will prove diſhonourable to the Publick Faith of this Kingdom, it will elude and make null the Acts and Ordinances of Parliament, made for the forfeiting of the Rebels Lands; at the paſſing of which Acts, it was repreſented, that ſuch a courſe would drive the Rebels to deſpair; and it proves ſo, but otherways than was meant; for deſpairing of their Force and Courage, they go about to overcome us with their craft.

Laſtly, What ſhall become of the many poor exiled Proteſtants, turned out of their Eſtates by this Rebellion, who muſt now continue begging their Bread, while the Rebels ſhall enjoy their Lands and Houſes? And who ſhall ſecure the reſt of the Proteſtants, that either by their own Courage, Induſtry, and great Charges, have kept their Poſſeſſions, or by the ſucceſs of our Armies have been reſtored? Can there be any aſſurance gotten from a perfidious Enemy, of a Ceſſation from Treachery and breach of Agreement, when they ſhall ſee a fit time and opportunity? Theſe and many other Conſiderations being well weighed, it will appear evidently that this deſign of a Ceſſation is a deep Plot laid by the Rebels, and really invented for their own ſafety, and falſly pretended to be for the benefit of our Armies.

And whereas the Lords and Commons have no certain Information that the Treaty is concluded, but are informed by ſeveral Letters that all the Proteſtants, as well Inhabitants as Soldiers in that Kingdom, are reſolved to withſtand that Proceeding, and to adventure on the greateſt Extremities, rather than have any ſort of Peace with that Generation, who have ſo cruelly in time of Peace murdered many thouſands of our Country-men, and laboured to extirpate the Proteſtant Religion from amongſt them: So they do believe, that theſe rumours of a Ceſſation were firſt contrived by the Enemies of our Religion and Peace, and by their practices the Treaty was carried on with much ſubtilty and ſollicitation, thereby to ſtop the ſending of ſupplies from thence to our Armies, and for the cooling of the affections of thoſe who have already ſhewed their Zeal to the Weal of *Ireland*. And therefore the only means to defeat this their Policy, and prevent the Evils intended by it, is to ſettle a courſe whereby the Armies of *Ireland* may be at leaſt fenced againſt Hunger and Cold: For which purpoſe it is deſired, that all thoſe who are well-affected to the Proteſtant Religion, either in that or this Kingdom, and all thoſe who by their Adventures already made, have embarked their particular Intereſts with the Publick of that Kingdom, and do deſire a good return of their Engagements, would joyn their endeavours, for obviating of that neceſſity, which may be made a ſtrong Argument to inforce a deſtructive Ceſſation of Arms, and that they would not through too much ſuſpicion and jealouſie of it forbear the providing of ſupplies, and ſo occaſion that inconvenience which they ought by all means to prevent; for by ſo doing, they will loſe all their former pains and charges; and the withholding of Proviſions now, will gain credit to that calumny laid againſt this Kingdom, of neglecting the Armies of *Ireland*, and by the continuing of ſupplies, theſe Forces will be encouraged to continue the War, and ſo crown both their Work and ours. And laſtly, the Rebels ſeeing Aſſiſtance againſt them ſtill flowing from hence, muſt needs be out of hope of proſecuting or concluding this their deſign. The cry of much Proteſtant Blood, the great indigency of many ruined Families, the danger of our Religion almoſt exiled out of that Kingdom, calls for this laſt Act of Piety, Charity, Juſtice, and Policy from us, which being reſolved

An. 1643.

on, Letters are to be diſpatched to the ſeveral parts of that Kingdom, to encourage the Commanders and Soldiers upon the aforeſaid Reaſons and Aſſurances, that they may not hearken to ſuch an unjuſt and deceitful Counſel, and as by their proſecuting of the War, through God's Bleſſing they have ſucceſsfully reſiſted the Rebels cruelty, ſo they may upon this occaſion beware they be not over-reached by their craft.

All which the Lords and Commons do earneſtly deſire, may be ſeriouſly taken to Heart by all the Kingdom, and that from thoſe other Encouragements, mentioned at large in the Ordinance of the fourteenth of *July* laſt, and ſuch as now are offered, a courſe may be taken, whereby ſuch a conſtant weekly Contribution may be ſettled, as will ſupply to the Armies in *Ireland* the meer neceſſities of Nature, which may be more punctually and ſeaſonably tranſmitted unto the ſeveral parts of that Kingdom, according to their reſpective wants, that ſo the Benefit and Honour of ſo Pious a Work happily begun, and ſucceſsfully hitherto carried on, may not be loſt when ſo little remains to be done; and that the ſaving of a Kingdom, the re-eſtabliſhing of ſo many Proteſtant Churches, the repoſſeſſing of ſo many thouſand Chriſtians into their Eſtates, may not be deſerted and let fall to the ground, for a little more pains and coſt.

CHAP

18 *Caroli.*

CHAP. XV.

The whole Proceedings of, and relating to, the Lords and Commons assembled at Oxford *the* 22*d of* January, 164$\frac{3}{4}$. *to the time of their Recess,* April 16. 1644.

By the King,

A Proclamation for the Assembling of the Members of both Houses at Oxford, *upon occasion of the Invasion by the* Scots.

C. R.

The King's Proclamation for the Members to assemble at *Oxford*, on the 22d of *January*, dated *Dec.* 22. 1643.

WHereas We did by Our Proclamation, bearing date the 20th day of *June* last, upon due consideration of the Miseries of this Kingdom, and the true cause thereof, warn all Our Good Subjects no longer to be mis-led by the Votes, Orders, and pretended Ordinances of one or both Houses, by reason the Members do not enjoy the Freedom and Liberty of Parliament; which appears by several instances of Force and Violence, and by the course of their Proceedings mentioned in Our said Proclamation, and several of Our Declarations. Since which time Our Subjects of *Scotland* have made great and warlike Preparations to enter and invade this Kingdom with an Army, and have already actually invaded the same, by possessing themselves, by force of Arms, of Our Town of *Berwick*, upon pretence that they are invited thereunto by the desires of the Two Houses; the which, as We doubt not, all Our good Subjects of this Kingdom will look upon as the most insolent act of Ingratitude and Disloyalty, and to the apparent breach of the late Act of Pacification, so solemnly made between the Kingdoms, and is indeed no other than a design of Conquest, and to impose new Laws upon this Nation, they not so much as pretending the least Provocation or Violation from this Kingdom: So We are most assured, that the Major part of both Houses of Parliament, do from their Souls abhor the least thought of introducing that Foreign Power, to increase and make desperate the Miseries of their unhappy Country. And therefore that it may appear to all the World, how far the Major part of both Houses is from such Actions of Treason and Disloyalty, and how grosly those few Members, remaining at *Westminster*, have and do impose upon Our People, We do Will and Require such of the Members of both Houses, as well those who have been by the Faction of the Malignant Party expelled for performing their Duty to Us, and into whose rooms no Persons have been since chosen by their Country, as the rest who have been driven thence, and all those who being conscious of their want of Freedom, now shall be willing to withdraw from that rebellious City, to assemble themselves together at our City of *Oxford*, on *Monday* the Twenty second day of *January*, where care shall be taken for their several Accommodations, and fit places appointed for their Meeting; and where all Our good Subjects shall see how willing We are to receive advice for the preservation of the Religion, Laws, and Safety of the Kingdom, and as far as in Us lies, to restore it to its former Peace and Security (Our chief and only end) from Those whom they have trusted, though We cannot receive it in the place where We appointed. And for the better encouragement of those Members of either House to resort to Us, who may be conscious to themselves of having justly incurred Our displeasure, by submitting to, or concurring in unlawful

An. 164$\frac{3}{4}$. unlawful Actions; and that all the World may ſee how willing and deſirous We are to forget the Injuries and Indignities offered to Us, and by an Union of *Engliſh* Hearts, to prevent the laſting Miſeries, which this Foreign Invaſion muſt bring upon this Kingdom, We do offer a free and general Pardon to all the Members of either Houſe, who ſhall, at or before the ſaid Twenty ſecond day of *January*, appear at Our City of *Oxford*, and deſire the ſame, without exceptions; which, conſidering the manifeſt Treaſons committed againſt Us, and the condition We are now in, improved by God's wonderful Bleſſing to a better degree than We have enjoyed at any time ſince theſe Diſtractions, is the greateſt inſtance of Princely and Fatherly Care of Our People that can be expreſſed, and which Malice it ſelf cannot ſuggeſt to proceed from any other ground. And therefore We hope and are confident, that all ſuch who upon this Our Gracious Invitation will not return to their Duty and Allegiance, ſhall be no more thought Promoters of the Religion, Laws, and Liberty of the Kingdom, (which this way may be, without doubt, ſettled and ſecured;) but Perſons engaged from the beginning out of their own Pride, Malice, and Ambition, to bring Confuſion and Deſolation upon their Country; and to that purpoſe (having long ſince contrived the Deſign) to invite and join with a Foreign Nation to ruine and extinguiſh their own, and ſhall accordingly be purſued as the *moſt* deſperate and malicious Enemies of the Kingdom. And Our Pleaſure is, That this Our Proclamation be read in all Churches and Chappels within this Our Kingdom of *England* and Dominion of *Wales*.

Given at Our Court at Oxford *the 22d Day of* December *in the 19th Year of Our Reign*, 1643.

God Save the King.

The King's Speech to the Lord's and Commons at Oxford, *upon their firſt Meeting*, January 22. 164$\frac{3}{4}$.

My Lords and Gentlemen,

The King's Speech, &c. WHEN I conſider your publick Intereſts and Concernments in the Happineſs and Honour of this Nation, and your continual Sufferings in this Rebellion, for your Affection and Loyalty to me, I muſt look upon you as the moſt competent Conſiderers and Counſellors how to manage and improve the condition we are all in; for ſure our Condition is ſo *equal*, that the ſame violence hath oppreſſed us all.

I have therefore called you together to be Witneſſes of my Actions, and Privy to my Intentions; and certainly if I had the leaſt thought, diſagreeing with the Happineſs and Security of this Kingdom, I would not adviſe with ſuch Counſellors. And I doubt not but your concurrence with me, will ſo far prevail over the Hearts and Underſtandings of this whole Kingdom, who muſt look upon you as Perſons naturally and *originally* truſted by and for them; that it will be above the reach and malice of thoſe, who have hitherto had too great an influence upon the People, to diſcredit my moſt entire Actions, and *ſincere Promiſes*; you will be the beſt Witneſſes for the *one*, and ſecurity for the *other*. Very many of you can bear me Witneſs with what unwillingneſs I ſuffered my ſelf to take up *theſe defenſive Arms*; indeed with ſo great, that I was firſt almoſt in the power of thoſe, who in *two ſet Battles*, have ſufficiently informed the World how tender they have been of the ſafety of my Perſon. I foreſaw not only the Rage and Oppreſſion which would every day break out upon my Subjects, as the Malice of theſe ill Men increaſed, and their purpoſes were detected; but alſo the great Inconveniencies my beſt Subjects would ſuffer, even by my own Army, raiſed and kept for their preſervation and protection; for I was not ſo ill a Soldier, as not to foreſee how impoſſible it was to keep a ſtrict diſcipline, I being to ſtruggle with ſo many defects and neceſſities; and I aſſure you the ſenſe I have of their Sufferings, who deſerve well of me, by my Forces, hath been

19 *Caroli.*

been a greater grief to me, than any thing for my own particular. My Hope was, that either by *Succeſs* on my part, or *Repentance* on theirs, God would have put a ſhort end to this great Storm; but *Guilt* and *Deſpair* have made theſe Men more wicked, than I imagined they intended to be; for inſtead of removing and reconciling theſe bloody Diſtractions, and *reſtoring Peace* to this languiſhing Country, they have *invited a Foreign Power to invade this Kingdom*, and that in *your Names*, and challenge this Invaſion from them as a Debt to the Common-Wealth. You, my Lords, have, like your ſelves (as good Patriots) *expreſſed your diſſent*, and vindicated your ſelves from that imputation; and I doubt not, but you, Gentlemen, will let your Countries know, how far you are from deſiring ſuch Aſſiſtance, and how abſolute and peremptory a breach this raiſing of Arms of *my Scottiſh Subjects* is of that *Pacification*, which was ſo lately and ſolemnly made by you, and can intend nothing but *a Conqueſt of you* and your Laws: I ſhall ſend you all the *Advertiſements* I have of that buſineſs which is *threatned from Scotland*, and what is already acted from thence, and ſhall deſire your *ſpeedy advice and aſſiſtance*, what is to be ſaid or done, both with reference *to this*, and *that Kingdom*.

Our ends being the ſame, I am ſure there will be no other difference in the way, than what upon debate and a right underſtanding will be eaſily adjuſted; let *our Religion* in which we are all moſt nearly concerned, and without care of which, we muſt not look for God's Bleſſing, be *vindicated* and preſerved; let my Honour and Rights, which you find to have an inſeparable relation with your own intereſt, be vindicated and reſtored, let your Liberties, Properties, Privileges, without which I would not be your King, be ſecured and confirmed; and there is nothing you can adviſe me to, I will not meet you in; and I doubt not we ſhall together *inform Poſterity*, how much our truſt and *confidence in each other*, is a better expedient *for the Peace* and preſervation of the Kingdom, *than fears and jealouſies*.

I ſhall keep you no longer from Conſulting together, than in telling you, that I have prepared fit places for your Meeting, to which I deſire you *to repair this Night*; aſſuring you, that I will be always ready to receive any thing from you, admitting you to me, or coming to you my ſelf, whenſoever you ſhall deſire: And ſo God direct you the beſt way.

To the Right Honourable the Lords of Privy-Council in Scotland, *and* Conſervators of Peace *between both Kingdoms.*

Our very Good Lords.

A Letter of the Lords at *Oxford* to the *Scots*, touching their Expedition into *England*, and ſhewing how few Peers were left at *Weſtminſter*.

IF for no other reaſon, yet that *Poſterity* may know we have done our Duties, and not ſate ſtill, whilſt our Brethren of *Scotland* were tranſported with a dangerous and fatal Miſ-underſtanding, that the reſolution now taken among them for *an Expedition* into *England*, is agreeable to their Obligation by the *late Treaty*, and to the wiſhes and deſires of this Kingdom, expreſſed by the *Two Houſes of Parliament*; we have thought it neceſſary to let your Lordſhips know, that if we had diſſented from that Act, it could never have been made a Law; and when you have examined and conſidered the Names of us who ſubſcribe this Letter, (who we hope are too well known to your Lordſhips and both Kingdoms, to be ſuſpected to want affection to Religion, or to the Laws and Liberty of our Country, for the defence and maintenance whereof we ſhall always hold our Lives a cheap Sacrifice;) and when you are informed, that the Earl of *Arundel* and *Thanet*, and the Lords *Stafford*, *Stanhope*, *Coventry*, *Goring*, and *Craven*, are in parts beyond the Seas, and the Earls of *Cheſterfield*, *Weſtmoreland*, and the Lord *Montague* of *Boughton*, under reſtraint at *London* for their Loyalty and Duty to His Majeſty and the Kingdom, your Lordſhips will eaſily conclude how very few now make up the Peers at *Weſtminſter*, there being in truth not above 25 Lords preſent or Privy to theſe Counſels, or being abſent, conſenting, or concurring with them; whereas the Houſe of Peers conſiſts of above an *Hundred*, beſides *Minors* and *Recuſant-Lords*, neither of which

keep

An. 1643.

keep us company in this Addreſs to your Lordſhips. How we and the major part of the Houſe of Commons come to be abſent from thence, is ſo notorious to all the World, that we believe your Lordſhips cannot be Strangers to it: How ſeveral times, during our ſitting there, Multitudes of the meaneſt ſort of People, with *Weapons* not agreeing to their Condition or Cuſtom, in a manner very contrary and deſtructive to the Privileges of Parliament, filled up the way between both Houſes, offering Injuries both by Words and Actions unto, and laying violent Hands upon ſeveral Members, and crying out many Hours together againſt the eſtabliſhed Laws in a moſt tumultuous and *menacing* way; how no remedy would be ſubmitted to for preventing theſe Tumults; after which and other unlawful and *Unparliamentary* Actions, many things received and ſettled, upon ſolemn debate in the Houſe of Peers, were again, after many threats and menaces, reſumed, altered, and determined, contrary to the Law and Cuſtom of Parliaments, and ſo many of us withdrew our ſelves from thence, where we could not ſit, ſpeak, and vote with Honour, Freedom, and Safety, and are now kept from thence for our Duty and Loyalty to *our Soveraign*; and muſt therefore *proteſt* againſt any Invitation which hath been made to our Brethren of *Scotland*, to enter the Kingdom with an Army, the ſame being as much againſt the *deſires* as againſt the *duty* of the Lords and Commons of *England*. And we do conjure your Lordſhips, by our common Allegiance and Subjection under our Gracious Soveraign, by the Amity and Affection between the two Nations, by the Treaty of *Pacification* (which by any ſuch Act is abſolutely diſſolved,) and by all Obligations both Divine and Humane, which can preſerve Peace upon Earth, to uſe your utmoſt endeavours, to prevent the effuſion of ſo much Chriſtian Blood, and the Confuſion and Deſolation which muſt follow the unjuſt Invaſion of this Kingdom, which we (and we are confident all true *Engliſh*-men) muſt interpret as a deſign of Conqueſt, and to impoſe new Laws upon us; and therefore your Lordſhips may be aſſured, we ſhall not ſo far forget our own Intereſt, and the Honour of our Nation, as not to expoſe our Lives and Fortunes, in the juſt and neceſſary defence of this Kingdom; but if your Lordſhips, in truth, have any doubts or apprehenſions, that there is now, or hereafter may be, a purpoſe to infringe your Laws or Liberties, from any attempt of this Kingdom, we do engage *our Honours* to your Lordſhips to be our ſelves moſt Religious Obſervers of the *Act of Pacification*; and if the Breach and Violation do not firſt begin within *that* Kingdom, we are confident you ſhall never have cauſe to complain of *this*: And having thus far expreſſed our ſelves to your Lordſhips, we hope to receive ſuch an Anſwer from you as may be a means to preſerve a right Underſtanding between the two Nations, and lay an Obligation upon us to continue

Your Lordſhips moſt affectionate humble Servants,

Edw. Littleton, C. S.
L. *Cottington.*
D. *Richmond.*
M. *Hartford.*
M. *Newcaſtle.*
E. *Huntington.*
E. *Bath.*
E. *Southampton.*
E. *Dorſet.*
E. *Northampton.*
E. *Devonſhire.*
E. *Briſtol.*
E. *Berkſhire.*
E. *Cleveland.*
E. *Marlborough.*
E. *Rivers.*
E. *Lindſey.*
E. *Dover.*
E. *Peterborough.*
E. *Kingſton.*
E. *Newport.*
E. *Portland.*
E. *Carbery.*
V. *Conway.*
V. *Falconbridge.*
V. *Wilmot.*
V. *Savil.*
L. *Mowbray* and *Maltravers.*
L. *Darcy* and *Coniers.*
L. *Wentworth.*
L. *Cromwel.*
L. *Rich.*
L. *Paget.*
L. *Digby.*
L. *Howard* of *Charlton.*
L. *Deincourt.*
L. *Lovelace.*
L. *Pawlett.*
L. *Mohun.*
L. *Dunſmore.*
L. *Seymour.*
L. *Herbert.*
L. *Cobham.*
L. *Capel.*
L. *Pier-*

L. *Piercy.*
L. *Leigh.*
L. *Hatton.*
L. *Hopton.*
L. *Jermyn.*
L. *Loughborough.*
L. *Byron.*
L. *Widdrington.*

This Letter was ſent by the Marqueſs of *Newcaſtle* to the Earl of *Argyle*, to be delivered as directed: To which the Lords of the Council in *Scotland*, and the Conſervators of the Peace, returned the following Anſwer.

The Scots *Anſwer*, March 18. 164$\frac{3}{4}$. *to the preceding Letter.*

Right Honourable.

WE have Yeſterday received and conſidered your Lordſhips Letter, concerning our Expedition into *England*, and do know that your Lordſhips are not ſo great Strangers to our Proceedings, as not to know that this was not intended, till all other means were firſt aſſayed and diſappointed. We will not deny, that the Invitation of the Honourable Houſes of Parliament, in the behalf of our Brethren in *England*, (who are ſhedding their Blood in defence of that Power, without which Religion can never be defended nor reformed, nor unity of Religion with us and other reformed Churches be attained) is a ſpecial Motive; but our Chriſtian Duty to Religion, our Loyalty and tender regard of His Majeſty's Honour and Safety, and preſervation of our ſelves from Ruine and Deſtruction, are the principal *Cauſe* of this undertaking: That this Invitation and Act of the Honourable Houſes of Parliament is *null*, and not to be reſpected, becauſe it wants your Lordſhips aſſent, and of thoſe Lords beyond Seas, or under reſtraint, is that which we think not proper for us to diſpute; but how this Parliament, that ſought ſo earneſtly for Reformation of Religion, for redreſs of Grievances, and ſettlement of the great Affairs of that Kingdom, and which was Indicted by His Majeſty for theſe ends, and is ratified by a ſpecial *Act of Parliament*, not to be raiſed without adviſe and conſent of both Houſes, is null and void, by the abſence of thoſe Lords beyond Sea, or by your Lordſhips withdrawing your ſelves, or that thoſe who ſtay in Parliament are not a ſufficient number without your Lordſhips, is more than we do apprehend. And as we are more deeply affected with unfeigned grief for theſe unhappy differences betwixt His Majeſty and His Subjects, and more ſenſibly touched with the Sufferings of our Brethren, than deſirous to Judge of the *Laws* and Practices of another Kingdom; ſo do we hold our ſelves in duty obliged to our Country, to clear this Kingdom of that unjuſt aſperſion of *Invaſion*. Our Remonſtrances to His Majeſty, to the Honourable Houſes of Parliament, and to all the World, and our whole former deportment, are more plain and ſure Evidences of the Zeal of this Kingdom to Religion, of our Loyalty to our Native King, and of true Affection to our Brethren of *England*, than all that Malice can deviſe, or Calumny expreſs againſt us. And if the difficulties of the paſſage had not ſtopped our *Declarations*, concerning our preſent Expedition into *England*, or the induſtry of our Adverſaries ſuppreſſed the ſame, from coming to your Lordſhips hands, you would never have ſo far miſ-interpreted our entry into *England*, as to have named it to be an *Invaſion*, nor a deſign of *Conqueſt* of that Kingdom, where we deſire the Throne of our Native King to be eſtabliſhed to all Ages. But the Queſtion rightly ſtated is, Whether againſt the *Popiſh, Prelatical, and Malignant Party*, and their Adherents, prevailing in *England* and *Ireland*, we be not bound to provide for our own preſervation? or whether we ought not to endeavour, ſo far as our power can reach, to reſcue our Native King, his Crown and Poſterity, out of the midſt of ſo many dangers, and to preſerve His People and Kingdoms from utter ruine and deſtruction? And that this is the true ſtate of the Queſtion, and the ſincerity of our Intentions towards ſo pious and neceſſary a Duty, we remit your Lordſhips for more full information to the Declaration of the Eſtates of this Kingdom, concerning

An. $16\frac{3}{4}$. the preſent Expedition into *England*, from their Meeting at *Edinburgh*, *Auguſt* 1643. and the *Covenant* betwixt the two Kingdoms, which we do herewith ſend; and if your Lordſhips ſhall join in this *Pious and Solemn Oath*, for Reformation and defence of Religion, His Majeſty's true Honour and Happineſs, and the Peace of His Dominions, which this Kingdom with the hazard of their Lives and Fortunes have (with God's Aſſiſtance) reſolved to maintain; then may we certainly expect that God's Judgments, which the Sins and Provocations of both Nations do juſtly deſerve, ſhall be averted; the effuſion of more Chriſtian Blood ſhall be eſchewed, and the Confuſion and Deſolations which farther threaten the ruine of theſe Kingdoms, ſhall be turned into a happy *Pacification*, for eſtabliſhing of Truth and Peace in all His Majeſty's Dominions.

For which ends, we ſhall in every noble and juſt way, be ready (according to our Covenant) to contribute our utmoſt endeavours, as a real Teſtimony of our deſires to continue

Edinb. March 18. 1644. *Your Lordſhips*, &c.

Votes at *Oxford*, *Jan.* 26. $16\frac{3}{4}$.

Die Veneris 26 *Januar.* $16\frac{3}{4}$.

Votes of the Lords and Commons at *Oxford*, *Jan.* 26. touching the *Scots* coming into *England*.

Reſolved upon the Queſtion, *Nemine contradicente*,

That all ſuch Subjects of Scotland, *as have conſented to the Declaration, Intituled*, The Declaration of the Kingdom of *Scotland, concerning the preſent Expedition into* England, *according to the Commiſſion and Order of the Convention of Eſtates, from their Meeting at* Edinburgh, Aug. 1643. *have thereby denounced* War *againſt the Kingdom of* England, *and broke the* Act of Pacification.

Reſolved, &c. *Nemine contradicente*,

That all ſuch of the Subjects of Scotland, *as have in an Hoſtile Manner entred into the Town of* Berwick *upon* Tweed, *have thereby broke the* Act of Pacification.

Reſolved, &c. *Nemine contradicente*,

That all His Majeſty's Subjects of the Kingdom of England *and Dominion of* Wales *are, both by their* Allegiance, *and the* Act of Pacification, *bound to reſiſt and repreſs all ſuch of the Subjects of* Scotland, *as have in an Hoſtile Manner already entred, or ſhall hereafter enter into the Town of* Berwick *upon* Tweed, *or any other part of His Majeſty's Realm of* England, *or Dominion of* Wales, *as* Traitors, *and Enemies to the State.*

Reſolved, &c. *Nemine contradicente*,

That all ſuch of His Majeſty's Subjects of the Realm of England, *or Dominion of* Wales, *that ſhall be Abetting, Aiding, and Aſſiſting to the Subjects of* Scotland, *in their Hoſtile Invaſion of any part of His Majeſty's Realm of* England, *or Dominion of* Wales, *ſhall be deemed and taken as* Traitors *and Enemies to the State.*

Reſolved, &c. *Nemine contradicente*,

That all His Majeſty's Subjects of Scotland *are bound by the* Act of Pacification, *to reſiſt and repreſs all of* that Kingdom, *that already have raiſed Arms, or ſhall riſe in Arms to invade this Kingdom of* England, *or Dominion of* Wales.

His

19 *Caroli.*

His Majesty's Speech to the Lords and Commons at Oxford, Febr. 7. $164\frac{3}{4}$.

My Lords and Gentlemen,

I Have hardly thus long forborn to give you *Thanks*, for the Care and Pains you have taken for the Publick Safety, since your coming together. And, first, I thank you for your Inclination to *Peace*; to which, as My willingness of complying shew'd the constancy of My endeavours in the best way for the Publick Good; so the *Rebels*, by their scornfully rejecting *Your* Overtures, as they have done heretofore *Mine*, have shew'd their constancy in their way.

Next, I must thank every one of you, for so chearfully applying your selves to the maintenance and recruiting of My *Army*; which I hope God will so bless, that thereby these Enemies of Peace shall have their due Reward. And truly, My Lords and Gentlemen, this Alacrity of yours in providing for My Army, doth please Me in no consideration so much, as that it is the best way for *Peace*: For certainly this strange Arrogance of *refusing to Treat* with you, can proceed from nothing but their Contempt of Our Forces. But it is your present Honour, and will be more to Posterity, that God hath made you Instruments to defend *your Soveraign*, and to preserve your Country; to see that *Religion* and *Law* to flourish, which you have rescued from the Violence of *Rebellion*; for which I hope, in time, to Recompence every one of you; but if I shall not, here is *One* * I hope will, in which he shall but perform my Commands; for I have no greater Sadness for those that are my ill Subjects, than I have Joy and Comfort in your Affections and Fidelities; and so God prosper your Proceedings.

* Pointing to the Prince.

Votes at *Oxford*, *March* 12. $164\frac{3}{4}$.

Votes of the Lords and Commons at *Oxford*, *March* 12. touching *Essex*'s Army, the New Great Seal, &c.

Resolved upon the Question, *Nemine contradicente*,

That the Lords and Commons, now remaining at Westminster, *that have given their Votes or Consent to the raising of Forces under the Command of the Earl of* Essex, *or have been Abetting, Aiding, or Assisting thereunto, have levied and made War against the King, and are therein Guilty of High-Treason.*

Resolved, &c.

That the Lords and Commons, now remaining at Westminster, *that have given their Votes and Consent for the making and using of a new Great Seal, have thereby counterfeited the King's Great Seal, and therein committed High-Treason.*

Resolved, &c.

That the said Lords and Commons, now remaining at Westminster, *that have given their Consent, or have been Abetting, Aiding, or Assisting to the present coming in of the* Scots *into* England, *in a Warlike Manner, have therein committed High-Treason.*

Resolved, &c.

That the Lords and Commons, now remaining at Westminster, *who have committed the Crimes mentioned in the three former Votes, have therein broken the Trust in them reposed by their Country, and ought to be proceeded against as Traitors to the King and Kingdom.*

Resolved, &c.

That all the Endeavours and Offers of Peace and Treaty, made by His Majesty, by the Advice of the Lords and Commons in Parliament assembled at Oxford, *have been refused and rejected by the Lords and Commons remaining at* Westminster.

An. 164¾.

A Declaration of the Lords and Commons of Parliament assembled at *Oxford.*

Of their Proceedings touching a Treaty of Peace, and the refusal thereof, with the several Letters and Answers that passed therein.

Declaration of the Lords and Commons at *Oxford*, of their Proceedings touching a Treaty for Peace.

IF our most earnest Desires and Endeavours could have prevailed for a *Treaty*, our Proceedings therein, without this Declaration, would have manifested to all the World the clearness of our Intentions, for the restoring the Peace of this Kingdom; but seeing all the means used by us, for that purpose, have been rendred fruitless, we hold our selves bound to let our Countries know, what in discharge of our Duty to God and to them, we on our parts have done, since our coming to *Oxford*, to prevent the further effusion of Christian Blood, and the Desolation of this Kingdom.

His Majesty having by His *Proclamation*, upon occasion of the *Invasion* from *Scotland*, and other weighty Reasons, commanded our attendance at *Oxford* upon the 22*d* of *January* last, there to advise him for the preservation of the Religion, Laws, and Safety of the Kingdom, and to restore it to its former Peace and Security: These Motives, with the true Sense of our Country's Miseries, quickned our Duty to give ready Obedience to those His Royal Commands, hoping (by God's Blessing) to have become happy Instruments for such good Ends. And, upon our coming hither, we applyed our selves with all diligence to advise of such means as might most probably settle the *Peace* of this Kingdom; the thing most desired by His *Majesty* and *Our Selves*. And because we found many Gracious Offers of Treaty for Peace by His Majesty, had been rejected by the Lords and Commons remaining at *Westminster*, we deemed it fit to write in our *own Names*, and thereby make tryal, whether *That* might produce any better effect of accomplishing our Desires and our Country's Happiness; and they having (under pain of Death) prohibited the *Address* of any Letters or *Message* to *Westminster*, but by their *General*, and we conceiving him a Person who (by reason of their trust reposed in him) had a great influence into, and power over their proceedings, resolved to recommend it to his care, and to engage him in that pious Work, with our earnest desire to him to represent it to those that trusted him, to prevent all exceptions and delay. And thereupon the 27th of the same *January*, dispatched a Letter away under the Hands of the Prince, his Highness the Duke of *York*, and of 43 Dukes, Marquesses, Earls, Viscounts, and Barons of the House of *Peers*, and 118 Members of the *House of Commons* there present, (many others of us by reason of distance of Place, Sickness, and Imployments in His Majesty's Service, and for want of timely notice of the Proclamation of Summons not being then come hither,) which Letter we caused to be inclosed in a Letter from the Earl of *Forth*, the King's General: A true Copy of which Letter from us to the Earl of *Essex* hereafter followeth, *viz.*

Letter of the Lords at *Oxford* to the Earl of *Essex*, *Jan.* 27. 164¾.

My Lord,

HIS Majesty having by his Proclamation of the 22*d of* December, *upon occasion of the Invasion threatned, and in part begun, by some of his Subjects of* Scotland, *summon'd all the Members of both Houses of Parliament to attend him here at* Oxford, *we whose Names are under-written are here met and assembled in obedience to those his Majesty's Commands; his Majesty was pleased to invite us in the said Proclamation by these Gracious Expressions*, That his Subjects should see how willing he was to receive advice for the preservation of the Religion, Laws, and Safety of the Kingdom, and as far as in him lay, to restore its former Peace and Security, his chief and only end, from those whom they had trusted, though he could not receive it in the place where he appointed. *This most Gracious Invitation hath not only been made good unto us, but seconded and heightned by such unquestionable Demonstrations of the deep and Princely Sense which possesses his Royal Heart of the Miseries and Calamities of his poor Subjects in this unnatural War, and of his most entire*

and

19 *Caroli.*

and passionate Affections to redeem them from that sad and deplorable condition, by all ways possible consistent either with his Honour, or with the future Safety of the Kingdom, that as it were Impiety *to question the sincerity of them, so it were great want of Duty and Faithfulness in us, (his Majesty having vouchsafed to declare, that he did call us to be Witnesses of his Actions, and privy to his intentions) should we not satisfie and* Witness *to all the World the assurance we have of the Piety and Sincerity of both, we being most entirely satisfied of this Truth, cannot but confess, that amidst our highest afflictions, in the deep and piercing Sense of the present Miseries and Desolations of our Country, and those farther Dangers threatned from* Scotland, *we are at length erected to some cheerful and comfortable thoughts, that possibly we may yet, by God's Mercy, (if his Justice have not determined this Nation for its Sins to total Ruine and Desolation,) hope to be happy Instruments of our Country's Redemption from the Miseries of War, and Restitution to the Blessings of* Peace; *and we being desirous to believe your Lordship (howsoever ingaged) a Person likely to be sensibly touched with these considerations, have thought fit to invite you to that part in this Blessed Work, which is only capable to repair all our Misfortunes, and to Buoy up the Kingdom from ruine; that is, by conjuring you, by all the obligations that have power upon Honour, Conscience, or Publick Piety, that laying to Heart, as we do, the inwardly bleeding condition of your Country, and the outward more menacing destruction by a Foreign Nation, upon the very point of Invading it, you will co-operate with us to its Preservation, by truly representing to, and faithfully and industriously promoting with those by whom you are trusted, this following most sincere and most earnest desire of ours, That they joining with us in a right sense of the past, present, and more threatning calamities of this deplorable Kingdom, some Persons be appointed on either part, and a place agreed on, to treat of such a* Peace *as may yet redeem it from the brink of Desolation.*

This Address we should not have made, but that his Majesty's Summons, by which we are met, most graciously proclaiming Pardon to all without Exception, is evidence enough, that his Mercy and Clemency can transcend all former Provocations, and that he hath not only made us Witnesses of his princely Intentions, but honoured us also with the Name of being Security for them.

God Almighty direct your Lordship, and those to whom you shall present these our most real Desires, in such a course as may produce that happy Peace and Settlement of the present Distractions, which is so heartily desired and pray'd for by us, and which may make us,

From *Oxford* *Jan.* 27 164$\frac{3}{4}$. *Your*, &c.

We are not ashamed of that earnest, meek, and Christian request we made in that Letter, (though it was cry'd through *London* Streets in scorn, as the Petition of the Prince, and Duke of *York*, for Peace,) and we thought it would have prevailed to have procured a Treaty for so Blessed a Thing as *Peace*, and for such an end as redeeming the Kingdom from Desolation, (the only desire of that our Letter;) but instead of a compliance with us in this Christian Work of Treaty and Accommodation, we received a meer frivolous Answer, or rather a Paper of scorn, in form of a Letter, directed to the Earl of *Forth*, wherein was inclosed a printed Paper, called, *A National Covenant of the Kingdoms of* England *and* Scotland, and two other Papers in writing, one called, *A Declaration of both those Kingdoms*, and the other, *A Declaration of the Kingdom of* Scotland; Pamphlets full of *Treason*, *Sedition*, and *Disloyalty*; which being publick, and needless here to be inserted, the Copy of the Letter hereafter followeth,

The Earl of *Essex*'s Answer to the Earl of *Forth*, *Jan.* 30.

My Lord,

I Received this day a Letter of the nine and twentieth of this Instant from your Lordship; and a parchment subscribed by the Prince, Duke of York, *and divers other Lords and Gentlemen; but it neither having Address to the Two Houses of Parliament, nor there being therein any acknowledgment of them, I could not communicate it to them. My Lord, the maintenance of the Parliament of* England, *and of the Privileges thereof, is* That *for which we are all resolved to spend our Blood, as being the foundation whereupon all our Laws and Liberties are built. I send your Lordship herewith,* A National Covenant, *solemnly entred into by both the Kingdoms of* England *and* Scotland;

An. 1643.

Scotland; *and a* Declaration *paſſed by them both together, with another* Declaration *of the Kingdom of* Scotland. *I reſt*

Eſſex-Houſe, *Jan.* 30. 1643.

Your Lordſhips humble Servant, *Eſſex.*

Whoſoever conſiders this Letter, will eaſily find it was fully underſtood to whom ours was deſired to be communicated, under the expreſſion of, [*thoſe by whom their General was truſted*;] and although it be pretended, becauſe there was no Addreſs to the two Houſes of Parliament, nor acknowledgment of them, it could not be communicated to them, it is notoriouſly known, he did ſo far impart it, that a Committee of theirs adviſed the Anſwer; and it appears by the penning, they all concurred in the reſolution therein mentioned, whereby it is evident, that this was but an excuſe framed to avoid a Treaty. And what could that printed Covenant, and two Declarations encloſed ſignifie, but to let us know, that before we come to any Treaty, we muſt alſo join in that Covenant with them for the abſolute extirpation of Church-Government here, without, nay though againſt the King's conſent; ſubmit the Lives, Liberties, and Eſtates of us, and all thoſe, who according to their Allegiance, have aſſiſted his Majeſty, to their Mercy; and admit and juſtifie the Invaſion from *Scotland*, according to the plain ſenſe of their Declaration? Which all indifferent Men will think ſtrange Preparatives to a Treaty for Peace; and after ſuch a yielding and ſubmiſſion, we know not what is left to Treat upon.

Theſe things are too apparent to every ordinary underſtanding; and yet we were not forward to apprehend the ſcorn of that Letter, or take it for a denial of a Treaty; but being ſtill ſollicitous for that happy Peace, which alone could redeem this Kingdom from ruine, we reſolved to try another way; and for avoiding delay or cavil about Names or Titles, or deſcants upon Words, to forbear writing, and humbly beſought his Majeſty to ſend Meſſengers, with Inſtructions, to deſire a Treaty for Peace, who was pleaſed to Name Mr. *Richard Fanſhaw*, and Mr. *Thomas Offly*, (Gentlemen of clear repute and integrity;) and to avoid their danger in repairing to *Weſtminſter*, at our deſire, commanded the Earl of *Forth*, his General, to write to *Theirs* for a *Safe-Conduct* for thoſe two Meſſengers: (For ſuch is our condition at preſent, that a free-born Subject, ſent upon the King's Meſſage, cannot but with ſuch leave repair to *London* or *Weſtminſter*, without danger of his Life.) The Letter for the *Safe-Conduct* was as followeth,

The Earl of *Forth*'s Letter to the Earl of *Eſſex* for a ſafe Conduct.

My Lord,

I Cannot ſo willingly write to you in any buſineſs as in that of Peace, *the endeavour thereof being the principal Duty of thoſe who are truſted in places of our Commands; eſpecially when the Blood that is ſpilt is of Perſons under the ſame Allegiance and the ſame Country and Religion, his Majeſty continuing conſtant in his pious and fervent deſires of a happy end to theſe bloody Diſtractions. I do hereby deſire your Lordſhip to ſend me a* Safe-Conduct *to and from* Weſtminſter, *for Mr.* Richard Fanſhaw, *and Mr.* Thomas Offly, *to be ſent by his Majeſty concerning a Treaty for Peace. I reſt,*

Your Lordſhips humble Servant, *Forth.*

To this was returned a Letter, directed to the Earl of *Forth*, in theſe Words, *viz.*

The Earl of *Eſſex*'s Anſwer, *Feb.* 19.

My Lord,

YOU ſhew your Nobleneſs in declaring your willingneſs to write to me in no buſineſs, ſo much as of that of Peace, and I join with you in the ſame opinion, that it ought to be a principal Duty of thoſe who are truſted in places of our Command; and therefore whenſoever I ſhall receive any directions to thoſe who have intruſted me, I ſhall uſe my beſt endeavours; and when you ſhall ſend for a Safe-Conduct *for thoſe Gentlemen, mentioned in your Letter, from his Majeſty to the* Houſes of Parliament,

I

19 *Caroli.*

I ſhall with all cheerfulneſs ſhew my willingneſs to further any way that may produce that Happineſs, that all honeſt Men pray for; which is, a true underſtanding between his Majeſty and his Faithful and only Council, the Parliament.

Eſſex-Houſe, *Feb.* 19. 164$\frac{3}{4}$.

Your Lordſhips humble Servant, *Eſſex.*

That this doth neither grant a *Safe-Conduct*, or give any direct anſwer to the Earl of *Forth*'s requeſt, every ordinary Eye may ſee; and yet ſuch Requeſts amongſt Generals are rarely denied, and we may eaſily thereby diſcern how fearful They at *Weſtminſter* are, leaſt the poor diſtreſſed People of this Kingdom, ſhould by the advantage of a Treaty, and free debate of the preſent Differences, ſee how groſsly they had been deceived and miſ-led, and ſo obtain an end of their Miſeries: For otherwiſe who could have believed, that when theſe Differences aroſe and were continued, for want of a free Convention in Parliament, and that a main end of the Treaty was to reſolve how we, according to our Duty and the Truſt repoſed in us by our Countries, might with them freely debate and adviſe his Majeſty in thoſe things that concerned the maintenance of our Religion, Parliament-Privileges, the King's Rights, and the Subject's Liberty and Property, that this Letter ſhould tell us, that the Party we are to treat withal, is the King's *only Council*, excluding all others, not only our ſelves called by the ſame Authority to Council as they were, but his Privy-Council alſo, and Council at Law? So that we could have no hopes of a Treaty, unleſs we ſhould firſt agree that they are *The Parliament* and the King's *only Council*, whereby they that are *Parties* would become the only *Judges* of all things in queſtion, which would be a Submiſſion and not a Treaty.

Having received theſe frivolous delays, which we might have interpreted abſolute denials of any Treaty of Peace, we yet reſolved not to give over our endeavours, for that which ſo much concerned the good of our Country, and the welfare of all Profeſſors of the true Proteſtant Religion; but by our humble and earneſt deſires to his Majeſty, prevailed with him to write his Royal Letters, and once more deſire a Treaty for Peace, though it had been ſo often formerly rejected, and to avoid all colour of exception, to direct it to *The Lords and Commons of Parliament aſſembled at* Weſtminſter; which was done and incloſed in a Letter from the Earl of *Forth* to their General; a Copy of both which Letters hereafter follow.

The Earl of *Forth*'s Third Letter to the Earl of *Eſſex.*

My Lord,

I Have received your Letter of the 19th of this Month, which according to my Duty I ſhew'd to his Majeſty, who obſerving in it your Expreſſions concerning Peace, That whenſoever you ſhall receive any Directions to thoſe that have intruſted you, you ſhall uſe your beſt endeavours, *is graciouſly pleaſed to ſend this incloſed, which it is deſired may be delivered according to the directions:*

Directed, *To the Earl of* Eſſex.
Subſcribed, *By the Earl of* Forth.

The King's Letter directed to the Lords and Commons of Parliament aſſembled at *Weſtminſter, March* 3. 164$\frac{3}{4}$.

C. R.

OUT of our moſt tender and pious ſenſe of the ſad and bleeding condition of this our Kingdom, and our unwearied deſires to apply all remedies, which, by the Bleſſing of Almighty God, may recover it from an utter Ruine, by the advice of the Lords and Commons of Parliament aſſembled at *Oxford, we do propound and deſire, that a convenient number of fit Perſons may be appointed and authorized by you to meet with all convenient ſpeed, at ſuch place as you ſhall nominate, with an equal number of fit Perſons, whom we ſhall appoint and authorize, to treat of the ways and means to ſettle the preſent Diſtractions of this our Kingdom, and to procure a happy Peace; and, particularly, how all the Members of both Houſes may ſecurely meet, in a full and free Convention of Parliament, there to Treat, Conſult, and Agree upon ſuch Things, as may conduce to the maintenance and defence of the true Reformed Proteſtant Religion, with due conſideration to all juſt and reaſonable eaſe of* Tender Conſciences, *to the ſettling and maintaining of our juſt Rights and Privileges, of the Rights and Privileges of Parliament, the Laws of the Land, the Liberty and Property of the Subject, and*

An. 164$\frac{3}{4}$.

and all other Expedients that may conduce to that Bleſſed End, of a firm and laſting Peace both in Church and State; and a perfect Underſtanding betwixt us and our People, wherein no Endeavours or Concurrency of ours ſhall be wanting; and God direct your Hearts in the ways of Peace. Given at our Court at Oxford, *the Third Day of* March, 164$\frac{3}{4}$.

Superſcribed,
To the Lords and Commons of Parliament aſſembled at *Weſtminſter.*

We now appeal to all the World, what could more have been done by his Majeſty, or us, in order to a Peace; here being ſo great a condeſcending from a King to Subjects, all indifferent advantages left to them, both for time and place of Treaty, and choice of Perſons to Treat: But what their intentions to Peace are, will appear by their Letter incloſed in one from their General, to the Earl of *Forth*; both which are as follow.

The Earl of *Eſſex* to the Earl of *Forth*, *March* 9.

My Lord,

I Am commanded by both Houſes of Parliament, to ſend a Trumpeter with the incloſed Letter to his Majeſty, which I deſire your Lordſhip may be moſt humbly preſented to his Majeſty. I reſt,

Eſſex-Houſe, *March* 9. 1643.

Your Lordſhip's humble Servant,
Eſſex.

The Anſwer of the Two Houſes at *Weſtminſter* to his Majeſty's Letter.

May it pleaſe your Majeſty,

WE the Lords and Commons aſſembled in the Parliament of England, *taking into our conſideration a Letter ſent from your Majeſty, dated the third of* March *inſtant, and directed* To the Lords and Commons of Parliament aſſembled at *Weſtminſter, which by the Contents of a Letter from the Earl of* Forth, *unto the Lord General the Earl of* Eſſex, *we conceive was intended to our ſelves, have reſolved, with the concurrent advice and conſent of the Commiſſioners of the Kingdom of* Scotland, *to repreſent to your Majeſty, in all humility and plainneſs, as followeth,*

That as we have uſed all means for a juſt and ſafe Peace, ſo will we never be wanting to do our utmoſt for the procuring thereof; but when we conſider the expreſſions in that Letter of your Majeſty's, we have more ſad and deſpairing thoughts of attaining the ſame than ever; becauſe thereby thoſe Perſons now aſſembled at Oxford, *who contrary to their Duty have deſerted your Parliament, are put into an equal condition with it; and this preſent Parliament, convened according to the known and fundamental Laws of the Kingdom, the continuance whereof is eſtabliſhed by a Law conſented unto by your Majeſty, is (in effect) denied to be a Parliament; the ſcope and intention of that Letter being to make Proviſion, how all the Members (as is pretended) of both Houſes may ſecurely meet in a full and free Convention of Parliament, whereof no other Concluſion can be made, but that this preſent Parliament is not a* full *nor* free Convention; *and that to make it a full and free Convention of Parliament, the preſence of Thoſe is neceſſary, who notwithſtanding that they have deſerted that great Truſt, and do levy War againſt the Parliament, are pretended to be Members of the Two Houſes of Parliament.*

And hereupon we think our ſelves bound to let your Majeſty know, that ſeeing the Continuance of this Parliament is ſettled by a Law, (which as other Laws of your Kingdoms, your Majeſty hath ſworn to maintain, as we are ſworn to our Allegiance to your Majeſty, theſe obligations being reciprocal,) we muſt in Duty, and accordingly are reſolved with our Lives and Fortunes, to defend and preſerve the juſt Rights and full Power of this Parliament; *and do beſeech your Majeſty to be aſſured, that your Majeſty's Royal and Hearty Concurrence with us herein, will be the moſt effectual and ready means of procuring a firm and laſting Peace in all your Majeſty's Dominions, and of begetting a perfect Underſtanding between your Majeſty and your People; without which, your Majeſty's moſt earneſt Profeſſions, and our moſt real Intentions concerning the ſame, muſt neceſſarily be fruſtrated: And in caſe your Majeſty's three Kingdoms ſhould, by reaſon thereof, remain in this ſad and bleeding Condition, tending by the Continuance of this unnatural War, to their Ruine, your Majeſty cannot be the leaſt nor the laſt Sufferer. God in his Goodneſs incline your Royal Breaſt, out of Pity and Compaſſion to thoſe deep Sufferings of your innocent People, to put a ſpeedy and*

and happy Iſſue to theſe deſperate Evils, by the joint Advice of both your Kingdoms, now happily united in this Cauſe, by their late Solemn League and Covenant; *which as it will prove the ſureſt remedy, ſo is it the earneſt Prayer of your Majeſty's Loyal Subjects, The Lords and Commons aſſembled in the Parliament of* England.

19 *Caroli.*

Weſtminſter, Mar. 9. 1643.

Grey of *Wark*, Speaker of the Houſe of Peers in Parliament, *pro tempore.*

William Lenthall, Speaker of the Commons Houſe in Parliament.

Whoſoever conſiders that this ſhould be a Letter from Subjects, might well think it very unbeſeeming Language in them, to call his Majeſty's earneſt Endeavours for Peace, but *Profeſſions*, and their own feigned Pretence, *moſt real Intentions*; but much more menacing Language, that *his Majeſty cannot be the leaſt or laſt Sufferer*; which Expreſſions from Subjects in Arms, to their Sovereign, what dangerous Conſtruction they may admit we are unwilling to mention.

But we need not wonder at the manner of their Expreſſions, when we ſee in this Letter the *Parliament* it ſelf, as far as in them lies, deſtroyed; and thoſe who here ſtile themſelves, *The Lords and Commons aſſembled in the Parliament of England*, not to reſolve upon their Anſwer to their King, without the concurrent Advice and Conſent of the Commiſſioners, as they call them, of the Kingdom of *Scotland*.

If they had only taken the Advice of the *Scottiſh* Commiſſioners, they had broken the fundamental Conſtitution of Parliament, the very *Writs of Summons*, the Foundation of all Power in Parliament, being in expreſs terms for the Lords to treat and adviſe with the *King, and the Peers of the Kingdom of* England, and for the Commons, *to do and conſent to thoſe things, which by that Common-Council of* England *ſhould be ordained*, thereby excluding all others.

But their *League*, it ſeems, is gone further, the *Scots* muſt Conſent as well as *Adviſe*, ſo that they have gotten a *Negative Voice*; and they, who in the former Letter would be the King's *only Council*, are now become *no Council*, without the *Scottiſh* Commiſſioners: The truth is, they have, beſides the *Solemn League and Covenant* with the *Scots*, which their Letter mentions, (a ſtrange and Trayterous Preſumption for Subjects to make a Covenant and League with Subjects of another Kingdom without their Prince,) made a private Bargain with the *Scots* touching our *Eſtates*; and a private Agreement, not to Treat without their conſent, as ſome of themſelves being afraid of a Treaty, openly declared to the Common-Council of *London*; and therefore, 'tis no wonder, that being touched to the quick, with the apprehenſion that they are not, nor can be in this condition, a full and free Convention of Parliament, they charge us with the deſerting our Truſt, and would have us to be *no Members* of the Parliament. They may remember it was our want of Freedom within, and the ſeditious Tumults without, their many multiplyed Treaſons there, and impoſing *Trayterous Oaths*, which inforced our abſence; but concerning that and the want of Freedom in Parliament, we ſhall ſay no more here, (that being the Subject of another Declaration;) only we wiſh them to conſider by what fundamental Laws of the Kingdom (which they have lately wreſted to ſerve all turns) they can exclude us from our Votes in Parliament, who were duly Summoned, Choſen, and Returned Members of Parliament, and take in thoſe of another Kingdom to their Reſolutions, who are not bound by our Laws.

But what Violation ſoever they make of the Laws, they are forward to put the King in mind of his Duty; and therefore tell him, *That he is Sworn to maintain the Laws, as they are Sworn to their Allegiance to him, theſe Obligations being reciprocal*. It is true, in ſome ſenſe, that the Oath of the King and Subjects is *reciprocal*; that is, each is bound to perform what they Swear, the King as well as the Subjects: But he that will well weigh their Letter, and make one part have connexion with the other, and examine that part of their Covenant, whereby they ſwear they will defend the King's Perſon and Authority, no farther or otherwiſe *than in preſervation of their Religion and Liberties*, may eaſily find another conſtruction, *viz.* That the Subjects Allegiance is no longer due than

An. 164[illegible]

than the King performs his Duty; nay, no longer than he in their opinion obſerves his Duty, whereof they themſelves muſt be Judges, and if he fail in his Duty, they may take up Arms againſt him; a Principle, which as it is utterly deſtructive to all Government, ſo we believe they themſelves dare not plainly avow it, leaſt as they now make uſe of it againſt the King, ſo the People finding their failure of Duty, and breach of Truſt, ſhould hereafter practiſe it by taking up Arms againſt them, and ſo ſhake off that Yoke of Tyranny, impoſed by their Fellow-Subjects, which lies ſo heavy upon them, that it were well, as they ſtill preſs upon the King's maintenance of the Laws, they would alſo know that their Obligation to obſerve the ſame is reciprocal. And where they here reſolve to *defend and preſerve the full Power of this Parliament*, (which in their ſenſe can be no other than the Power they have exerciſed this Parliament;) they would take notice, that they are therein ſo far from obſervation of the Laws, that they deſperately reſolve an utter ſubverſion of them; for what can more tend to the deſtruction of the Laws, than to uſurp a Power to themſelves without the King, and againſt his will to raiſe Arms; to attribute to their Orders, or pretended Ordinances, the Power of Laws and Statutes; to inforce Contributions, Loans, and Taxes of all ſorts from the Subject; to impriſon without cauſe ſhew'd, and then prohibit Writs of *Habeas Corpus* for their Enlargement; to lay Exciſes upon all Commodities; to command and diſpoſe of the Lives and Eſtates of the free-born Subjects of this Kingdom, at their pleaſure; to impoſe Tonnage and Poundage, contrary to the Law declared in the late Act for Tonnage and Poundage, and all this done and juſtified, as by a legal Civil Power founded and inherent in them: All which are manifeſt breaches of the *Petition of Right* and *Magna Charta*, the great Evidence of the Liberties of *England*; which Charter by expreſs Words binds them and us, though aſſembled in Parliament, as well as the King; and though it be not now, as heretofore it hath been, taken by *Solemn Oath* on the People's part, as well as on the King's, nor a *Curſe* as heretofore pronounced on the Violaters; yet they having taken a Proteſtation to maintain the Laws and Liberties and the Properties of the Subject, and incluſively that *Charter*, let them take heed whilſt they make uſe of this their pretended Power to the deſtruction of the Law, leaſt a Curſe fall upon them and upon their Poſterity: God knoweth, and it is too certain a Truth, that our ſelves and many other good Subjects in this Kingdom, even under the Power of the King's Army, have ſuffered exceedingly in Liberty and Eſtates, during this preſent Rebellion, by many heavy charges, the ſad conſideration whereof makes our Hearts bleed, becauſe we can ſee no way for relief, ſo long as this unnatural Rebellion continues; but as theſe things were firſt practiſed by them, and thereby neceſſitated upon the King's Army, ſo it was never yet pretended that they were done by virtue of a Law, but either by conſent, or by the unhappy and unavoidable exigence of War, and to expire with the preſent Rebellion, which God in Mercy haſten; for our parts we have the inward comfort of our own Conſciences, witneſſing with us, that we have improved all opportunities and advantages for the reſtoring of this Kingdom to its former Peace, and we muſt Witneſs for his Majeſty, his moſt hearty deſires thereof; and though both his Majeſty and our endeavours therein have been made fruſtrate, yet God in his great Goodneſs hath raiſed up our Spirits, not to deſert our Religion, our King, our Laws, our Lives, the Liberties of us *Engliſh* free-born Subjects, and by God's aſſiſtance and his Majeſty's concurrence, we do reſolve to unite our ſelves as one Man, and cheerfully adventure our *Lives* and *Eſtates* for the maintenance and defence of the true reformed Proteſtant Religion of the Church of *England*, (of which we profeſs our ſelves to be,) for the defence of the King's Perſon and Rights of his Crown; for the regaining and maintaining the Rights and Privileges of Parliament, and the Liberty of the Subject's Perſon, and Property of his Eſtate, according to the known Laws of the Land; to repel thoſe of the *Scottiſh* Nation, that have in a warlike manner entred this Realm, and to reduce the Subjects thereof now in Rebellion to the King's Obedience; and we doubt not but the ſame God will enlighten the Eyes of the poor deceived People of this Land, like true-hearted honeſt *Engliſh*-men, to join unanimouſly with us in ſo juſt and pious a Work; and the God of Heaven proſper us according to the Goodneſs of the Cauſe we have in Hand.

The

19 *Caroli.*

The Names of the Lords and Commons of Parliament aſſembled at *Oxford*, who did ſubſcribe the Letter to the Earl of *Eſſex*, dated *Jan.* 27. 1643.

CHARLES, P. *YORK.*
Cumberland
Ed. Littleton, C. S.
Fra. Cottington
D. *Richmond*
M. *Hartford*
E. *Lindſey*
E. *Dorſet*
E. *Shrewsbury*
E. *Bath*
E. *Southampton*
E. *Leiceſter*
E. *Northampton*
E. *Devonſhire*
E. *Carlile*
E. *Briſtol*
E. *Barkſhire*
E. *Cleveland*
E. *Rivers*
E. *Dover*
E. *Peterborough*
E. *Kingſton*
E. *Newport*
E. *Portland*
V. *Conway*
L. *Digby*
L. *Mowbray* and *Maltravers*
L. *Wentworth*
L. *Cromwell*
L. *Rich*
L. *Paget*
L. *Chandoys*
L. *Howard* of *Charleton*
L. *Lovelace*
L. *Savile*
L. *Mohun*
L. *Dunſmore*
L. *Seymour*
L. *Percy*
L. *Willmot*
L. *Leigh*
L. *Hatton*
L. *Jermin*
L. *Carrington*
John Fettiplace, Eſq;
Sir *Alex. Denton*
Sir *John Packington*
Sir *Tho. Smith*
Francis Gamul, Eſq;
John Harris, Eſq;
Joſeph Jane, Eſq;
Richard Edgcombe, Eſq;
Jonathan Raſhleigh, Eſq;
G. Fane, Eſq;
P. Edgcombe, Eſq;
Will. Glanvill, Eſq;
Sir *Robert Holburne*
Sir *Ra. Sydenham*
Fr. Godolphin, Eſq;
George Parry, Dr. of Law
Ambroſe Manaton, Eſq;
Richard Vivian, Eſq;
John Polewheele, Eſq;
John Arundel, Eſq;
Thomas Lower, Eſq;
Sir *Edward Hide*
William Alleſtree, Eſq;
Sir *George Stonehouſe*
Edward Seymour, Eſq;
Peter Sainthill, Eſq;
Sir *William Poole*
Roger Matthew, Eſq;
Richard Arundel, Eſq;
Robert Walker, Eſq;
Giles Strangways, Eſq;
Sir *John Strangways*
Sir *Thomas Hele*
Sir *George Naper*
Sam. Turner Doctor in Phyſick
Will. Conſtantine, Eſq;
Hen. Killigrew, Eſq;
Richard King, Eſq;
John Dutton, Eſq;
Henry Brett, Eſq;
William Chadwell, Eſq;
Sir *Theobald Gorges*
John George, Eſq;
Sir *Tho. Fanſhaw*
Humf. Conningsby, Eſq;
Richard Seaborne, Eſq;
Arthur Lord *Ranelaugh*
Tho. Tomkins, Eſq;
Sir *Sampſon Evers*
Sir *John Culpeper*
Jeffrey Palmer, Eſq;
Sir *John Harriſon*
Tho. Fanſhaw, Eſq;
Sir *Rog. Palmer*
Sir *Orlando Bridgman*
William Watkins, Eſq;
John Smith, Eſq;
Sir *Thomas Bludder*
Sir *Edward Littleton*
Sir *Harvy Bagot*
Sir *Richard Leveſon*
Sir *Richard Cave*
Richard Weſton, Eſq;
Sir *Richard Lee*
Sir *Tho. Whitmore*
Sir *Ed. Acton*
C. Baldwin, Eſq;
R. Goodwin, Eſq;
Tho. Howard, Eſq;

An. 164¾.

Tho. Littleton, Esq;
Sir *Ro. Howard*
Sir *Robn Meux*
Matthew Davis, Esq;
Sir *Fr. Cornwallis*
Tho. Jermin, Esq;
John Taylor, Esq;
William Bassett, Esq;
Sir *William Portman*
Sir *Edward Rodney*
Tho. Hanham, Esq;
Edward Philips, Esq;
John Digby, Esq;
Christ. Kirton, Esq;
Edward Lukenor, Esq;
Sir *Edward Alford*
John White, Esq;
John Ashburnham, Esq;
William Smith, Esq;
Thomas Leeds, Esq;
Sir *James Thinne*
William Pleydell, Esq;
Ro. Hide, Serjeant at Law
Sir *Edward Griffin*
Sir *Walter Smith*
George Lowe, Esq;
Ric. Harding, Esq;
Sir *Henry Herbert*
And. Porter, Esq;
Samuel Sandys, Esq;
John Bodvill, Esq;
William Morgan, Esq;
William Thomas, Esq;
John Mostyn, Esq;
Henry Bellasis, Esq;
Sir *George Wentworth*
William Malory, Esq;
Richard Aldburgh, Esq;
John Salisbury, Esq;
William Herbert, Esq;
William Price, Esq;
Sir *John Price*
Sir *R. Herbert*
Charles Price, Esq;
Phil. Warwick, Esq;
Thomas Cook, Esq;
Sir *Robert Crooke*
Herb. Price, Esq;
John Whistler, Esq;

These Peers following, being disabled by several Accidents to appear sooner, have since attended the Service, and Concurred with us.

Viscount *Cambden*
Lord *Abergavenny*
Lord *Arundel*
Lord *Capel*
Lord *Newport*

Peers imployed in His Majesty's Service, or absent with leave.

Marques of *Winchester*
Marques of *Worcester*
Marques of *Newcastle*
Earl of *Derby*
Earl of *Huntingdon*
Earl of *Clare*
Earl of *Marleborough*
Viscount *Falconbridge*
Lord *Morley*
Lord *Darcy* and *Conyers*
Lord *Stourton*
Lord *Evers*
Lord *Daincourt*
Lord *Pawlet*
Lord *Brudenell*
Lord *Powis*
Lord *Herbert* of *Cherbury*
Lord *Hopton*
Lord *Loughborough*
Lord *Byron*
Lord *Vaughan*
Lord *Withrington*

Peers absent in the Parts beyond the Seas.

Earl of *Arundel*
Earl of St. *Albans*
Viscount *Montague*
Viscount *Stafford*
Lord *Stanhope*
Lord *Coventry*
Lord *Goring*
Lord *Craven* of *Hamsted*
Lord *Craven* of *Ryton*

Peers in Prison for their Loyalty to His Majesty.

Earl of *Chesterfield*
Lord *Montague* of *Boughton*

Whoever views these numbers, and considers how many Peers are at this time under Age, will quickly know who and how *many* are privy or consenting to the Counsels at *Westminster*.

These

19 *Caroli.*

Theſe Members following, being diſabled by ſeveral Accidents to appear ſooner, have ſince attended the Service, and Concurred with us.

Peter Venables, Eſq;
Sir *John Pawlet*
Edward Bagſhaw, Eſq;
Sir *John Burlaſey*
Francis Newport, Eſq;
Anthony Hungerford, Eſq;
John Ruſſel, Eſq;
Thomas Chichley, Eſq;
Earl of *Cork*
Sir *Gervaſe Clifton*
Sir *Guy Palmes*
Robert Sutton, Eſq;
Gervaſe Hollis, Eſq;
Sir *Patritius Curwen*
Sir *Henry Bellingham*
Sir *George Dalſtone*
Sir *Thomas Sandford*
Sir *William Dalſton*
Michael Wharton, Eſq;
Sir *Robert Hatton*
James Scudamore, Eſq;
Sir *John Brooke*
Sir *John Stepney*

Imployed in His Majeſty's Service, or abſent with leave, or by Sickneſs.

Sir *John Fenwick*
Hugh Potter, Eſq;
Walter Kyrle, Eſq;
William Stanhop, Eſq;
Sir *William Carnaby*
Sir *Thomas Danby*
John Fenwick, Eſq;
Ralph Sneade, Eſq;
Sir *William Ogle*
Sir *Thomas Jermine*
Sir *John Stowell*
Sir *Robert Strickland*
Sir *Philip Muſgrave*
John Cowcher, Eſq;
John Coventry, Eſq;
Sir *Henry Slingesby*
Sir *John Malory*
John Bellaſis, Eſq;
Sir *Thomas Ingram*
Lord *Mansfield*
Tho. Heblethwaite, Eſq;
Sir *Hugh Cholmely*
Sir *George Wentworth*
Sir *Walter Lloyd*
Sir *Henry Vaughan*
Francis Lloyd, Eſq;
John Vaughan, Eſq;
Richard Ferrers, Eſq;
George Hartnol, Eſq;
Sir *William Vdal*
Robert Hunt, Eſq;
Thomas May, Eſq;
Sir *Thomas Bowyer*
Sir *Thomas Roe*.

Whoever now conſiders how many have retired themſelves into ſeveral Counties, and ſo are abſent from *Weſtminſter*, and yet cannot through the danger of travelling be preſent at *Oxford*; how many have withdrawn themſelves into the parts beyond the Seas; how many of their own principal Inſtruments are voted out of the Houſe, by themſelves, as Sir *John Hotham*, and his Son, Sir *Alexander Carew*, Mr. *Martin*, Mr. *Fiennes*, and many others; and how many now are impriſoned by them; how many Members from the beginning have been factiouſly kept from the Houſe, upon queſtions of Election; and how many without any Colour are kept in, by not ſuffering their Elections to be reported; and that there are thirty five Members dead, into whoſe rooms no new Perſons are choſen; how many ſince are become Barons by deſcent, or *Creation*, will eaſily conclude, how ſmall the number is which remains, and of thoſe how *few in truth have right to ſit there.*

Charles R.

OUR expreſs pleaſure is, That this Declaration of the Lords and Commons of Parliament aſſembled at Oxford, *be read by the Parſon, Vicar, or Curate, in every Church and Chappel within our Kingdom of* England *and Dominion of* Wales.

March 19. 1643.

About the ſame time, the Two Houſes at *Weſtminſter* ſet forth a Declaration touching the ſame Proceedings, relating to a Treaty for Peace, being as followeth.

An. $16\frac{4}{4}$.

A Declaration of the Lords and Commons in Parliament, with the Advice and Concurrence *of the Commiſſioners of* Scotland, *touching a Treaty of Peace.*

A Declaration of the Two Houſes at *Weſtminſter*, ſhewing why they could not accept the Overtures made from *Oxford*, for a Treaty.

WE the Lords and Commons in this preſent Parliament aſſembled, having notice given us by the Earl of *Eſſex*, Lord General of the Forces raiſed for the Defence of the King and Parliament, of divers *Letters* ſent unto him by the Earl of *Forth*, and of a Writing in Parchment, dated at *Oxford*, and ſubſcribed by divers Lords and Gentlemen, incloſed in one of thoſe Letters, and directed to the ſaid Earl of *Eſſex*; and likewiſe of another Letter ſubſcribed by his Majeſty, and directed thus, *To the Lords and Commons of Parliament aſſembled at* Weſtminſter, which by the intimation given by the Earl of *Forth* in his Letter, wherein it was incloſed, ſeemed to be intended for the *Two Houſes of Parliament*, (all which we have cauſed to be herewith * printed,) did take the ſame into our ſerious Conſideration; and the rather, becauſe it carried with it a Rumor and Pretence of a *Treaty* of *Peace*, which (being accompanied with *Truth*) hath always been our earneſt deſire, and ſhall be our Faithful endeavours to effect: And having truly weighed the ſame with the Circumſtances thereof, do find it ſo far from any Aim or Intention to *Peace*, that, under the Mask and Title thereof, it appears to be an endeavour to make our unhappy Diſtractions and Miſeries more laſting, and the War more irreconcileable.

* They are recited in the Declaration of the Lords and Commons at *Oxford*, before-going, and ſo are here omitted.

For now, what the Authors and Fomenters of our ſad Calamities from the beginning intended, they have procured to be in ſubſtance openly *Profeſſed*; that is, the *Overthrow and Deſtruction of this preſent Parliament*, being (under God) the only *Baſis* and Support of our Religion and Liberty, and the very *Bulwark* between us and Tyranny, Popery, and Superſtition, which are preſſing hard to overrun all the three Kingdoms; and becauſe they foreſaw the ſubverſion of this Parliament would be of a hard Digeſtion with the People, they would firſt digeſt it under the Diſguiſe of *Peace*, and therefore his Majeſty in his application thereunto muſt by his Letter deny the *Freedom* and Continuance thereof, and make way to the ſetting up of another at *Oxford*, in ſtyling *that Convention* by the Name of *The Lords and Commons of Parliament aſſembled at* Oxford, being the ſame Title which is therein given to *the Parliament*, and owning this proceeding toward Peace to be by their Advice: And then, if upon theſe Terms the Two Houſes entertained this Overture, they have gained an *Acknowledgment* from us of being *no Parliament*, or at leaſt-wiſe a tacite Conſent of an Aſſembly at *Oxford*, to be in equal condition with us, but in caſe this Addreſs ſhould be rejected, then they would take the Advantage thereby to perſwade the World, that They at *Oxford* did labour for *Peace*, and the Parliament was *averſe* to Peace; and ſo by this ſubtile Inſinuation Poiſon the Affections of the People, to make the better way to Ruine both Parliament and People.

And therefore, that the ſincerity of our Actions, and the Malice and Subtilty of our Adverſaries may be more clearly diſcovered, we thought it our Duty (with the Advice and Concurrence of the Commiſſioners of the Kingdom of *Scotland*) to publiſh our Proceedings to the Kingdom; and to declare, that as it hath always been, and ever ſhall be our earneſt and faithful Endeavours to put an end to

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the Troubles and dangerous Diſtempers of this Kingdom, by a happy and well-grounded Peace; ſo is it our ſettled Reſolution in diſcharge of the Truſt repoſed in us, never to purchaſe it with the loſs and ruine of our Religion and Liberty, having before our Eyes the ſad Spectacle of that woful Kingdom of *Ireland*; which, after the expence of ſo much Innocent Blood, in defence of the Proteſtant Religion, is under the falſe gloſs of *Peace*, ſubjected, and brought under the Power of *Popery* and Superſtition: And thoſe *Bloody Rebels* having effected their ends in that Kingdom, are brought over hither to bring us under the ſame Yoke; which, upon this occaſion, we are neceſſitated to publiſh, being now tempted by that ſpecious Pretence to acknowledge the Diſſolution of this Parliament; which, had we aſſented to, would not only deprive us, and our Poſterity of the *preſent*, but of the hopes and capacity of any future *Parliament*; and ſo at one blow cut in ſunder the chief Support and Pillar of our *Laws* and *Liberties*: For what better Aſſurance can we have, either of our preſent, or future Liberty, than the *Laws* and Statutes of the Kingdom; and what greater Obligation can we expect of the obſervance thereof, than his Majeſty's Perſonal Conſent to that Law, and his Sacred and Solemn *Oath* to obſerve the Laws? And yet both theſe are not thought *Holds* ſtrong enough to ſecure us our own; inſomuch, that not only this preſent Parliament convened according to Common Law and Uſage of the Realm, and enacted by a Law conſented unto by Himſelf to have continuance (and * herewith Printed) is attempted to be *Diſſolved*; but another endeavoured to be ſet up at *Oxford*. And if the King, notwithſtanding all theſe Obligations, ſhall, at his pleaſure, Diſſolve this, the Kingdom is not only deprived of the preſent, but made incapable of enjoying the benefit of any future Parliament or Laws, any longer than ſhall ſtand with the *Will* and Pleaſure of the King; and conſequently the Fundamentals of all our Laws and Government are ſubverted.

19. *Caroli.*

* This Act is recited before in its proper place, and ſo here omitted.

And we very well know this Deſign to be long ſince contrived at *Oxford*, as appeareth by the Lord *Digby*'s intercepted Letter, dated the Twenty ſeventh of *December* laſt, (which we have cauſed to be herewith Printed;) and of ſuch expectation, that he in that Letter expreſſeth it to carry along with it *Probability of the ſureſt and readieſt way, &c. of any Courſe that hath been yet taken*; knowing very well, that the Evils and Miſeries, himſelf and his Wicked Confederates have brought upon this diſtreſſed Kingdom, can expect no ſafety, but by attempting more.

And truly they could not think of any more likely to involve themſelves in the ſame Guilt, than thoſe Lords and Gentlemen now met at *Oxford*, who had already, contrary to their Duty, and the Truſt repoſed in them by their Country, deſerted the Parliament, and aſſiſted in a War againſt it; and had there been any doubt or ſuſpicion of their Concurrence in that Deſign, the very place of Meeting being the Head-Quarters of a Popiſh Army, whoſe Cauſe they were there to conſult of, would be a Rod ſharp enough to ſecure them from that Fear. And it doth ſufficiently appear, that they have anſwered their expectation; for they have aſſumed the *Form*, and exerciſed the *Power* of Parliament; they Sit in two diſtinct Places, terming the one the *Houſe of Peers*, and the other the *Houſe of Commons*; and they have made the Lord *Littleton* Speaker of that which they call the *Houſe of Peers*, and Serjeant *Eure* of the other which they name the *Houſe of Commons*.

They

An. 164¾.

They have granted the Sum of 100000 *l.* for the maintenance and recruiting of the Forces raiſed againſt the Parliament and Kingdom, and have adviſed the ſame to be levied upon the People in an Arbitrary way, by *Privy Seal*, under the colour of *Loan*; which by their Conſent and pretended Authority is accordingly put in Execution, as appeareth by the Privy Seals themſelves, ſigned by the ſaid Lord *Littleton* and Serjeant *Eure*, a Copy of one of them we have cauſed to be herewith Printed: And what is beyond all, and without the Power and Capacity of a Parliament, they have declared another Kingdom, and the Parliament it ſelf, Guilty of *High-Treaſon*; having Voted our Brethren of *Scotland*, who, upon our Invitation, and according to the Act of *Pacification*, are come in to aſſiſt us, in maintenance of our Religion and juſt Privileges, and the *Two Houſes*, who have raiſed Forces for their own juſt Defence, and the maintenance of their Religion and Liberty, *Traytors* and *Rebels*.

And now we refer it to any ſober and indifferent Judgment, whether there can be a higher Attempt to ſhake off and cut in ſunder all Bands of Law and Government, and to bring the People under the Yoke and Bondage of an *Abſolute Tyranny*, than this is?

And we cannot chooſe but Admire and Lament, that this Kingdom ſhould produce ſuch unnatural Monſters, who, like Vipers, to make way for their own ſafety, would deſtroy the Womb that bare them: And becauſe themſelves are juſtly cut off, as rotten and deſtructive Branches, of the Repreſentative Body of the Kingdom, would therefore pluck up the Tree by the Root, and deſtroy both Parliament and Kingdom. But when we conſider the Perſons this Idol is compoſed of, it produceth no great wonder, conſiſting not only of ſuch, who for Betraying the Truſt repoſed in them by their Country, and their Duty to the Commonwealth, have been juſtly excluded the Parliament; but of the Lord *Digby*, *Percy*, *Jermin* and others, who even before theſe unhappy Differences, have been legally impeached, or queſtioned in Parliament for *High-Treaſon*; and, being convinced in their own Conſciences of the Guilt thereof, *fled* the Kingdom to avoid their Trial; and therefore by *Proclamations* in his Majeſty's Name, when his Majeſty was here preſent, ſummoned to appear to Anſwer to that Charge. But our greateſt grief is, that their Counſels ſhould ſo far prevail, as to procure his Majeſty (under the pretence of *Peace*) to be their Inſtrument to an Attempt ſo deſtructive to Himſelf, Kingdom, and People; and to endeavour the conſent of the Parliament to deſtroy it ſelf, and their own Religion and Liberties; an Attempt not to be parallell'd by the precedent of the moſt pernicious Times; and, if effected, would in the end prove as dangerous to his Majeſty as to the Kingdom, which may be made apparent by the Example of ſome of his Predeceſſors, unhappily miſled by the deſperate Counſels of private and ill-affected Perſons; which Conſideration neceſſitated us to return his Majeſty the Anſwer † herewith printed; wherein we take the boldneſs, with all humility and plainneſs, to declare, as well the *Duty* we owe to our Country, for whom we are intruſted, as the *Allegiance* we owe to him; and that without apparent Breach of both, we could not Aſſent to any Treaty, upon the Terms expreſſed in his Majeſty's Letter; and likewiſe to tender unto Him our Humble Advice of a ſafe and ready way to put an end to the preſent ſad Condition of his Majeſty's Dominions; and we ſhall never ceaſe by our continual and earneſt Prayers to Almighty God, to implore him, that yet at length he would incline his Royal Heart to be

† See it before in the *Oxford* Declaration.

19 *Caroli.*

be throughly ſenſible of theſe unhappy Diviſions, that have occaſioned ſo much Innocent Blood to ſtain the Land; and by harkning to the joint Advice of both Kingdoms, now happily united in this Common Cauſe, by their late *Solemn League and Covenant*, put an happy Iſſue to all theſe Troubles.

This we thought neceſſary to declare, to the end the World may ſee, as well our own real Endeavours to attain a ſafe and juſt Peace, as the indefatigable Practices of thoſe Popiſh and Jeſuitical Councils (the Inſtruments of all our Miſeries,) who are content to appear in *all Shapes*, and leave no means unattempted to compaſs their own ends.

Firſt, They would have undermined us by *ſecret Practices*; then they would have forced us by *open War*; and now they would allure us with the ſpecious pretence of *Peace* to *diſ-avow* this Parliament, and our juſt Rights and Privileges; and conſequently reſign our ſelves, Religion, Laws, and Liberties to the Power of Idolatry, Superſtition and Tyranny.

But we are conſtantly reſolved, in diſcharge of the Duty we owe to our God, the Truſt repoſed in us by our Country, and our late Solemn Oath and Covenant, with the hazard of our Lives and Fortunes to defend our lawful Rights and Liberties, the Freedom and Privileges of this preſent Parliament; and, which is above all, the True Proteſtant Religion, wherein we ſhall not doubt, but to receive the hearty concurrence and aſſiſtance of all well-affected Proteſtants, and true Lovers of their Country and Liberty; and *the Lord of Hoſts*, whoſe Cauſe it is we ſtand for, and upon whoſe Aſſiſtance we principally rely, grant our Endeavours a Bleſſed and Happy Succeſs.

The Lord *Digby's* Letter intercepted and in this Declaration referred unto, was as followeth.

The Lord *Digby's* Letter to Sir *H. Devic.*

SIR,

An intercepted Letter of the Lord *Digby's*, *Dec.* 27. 1643.

MY *Indiſpoſition the laſt Week forced me to refer you to my Secretary, for an Account of what Occurrences it afforded. This Week hath been ſo little productive of any thing conſiderable, that when I ſhall have told you of the taking of* Briſton-*Caſtle in* Cheſhire, *by his Majeſty's Forces under the Lord* Byron, *a Place of huge Importance, both for Strength and Command of all thoſe Countries of* Cheſhire, Lancaſhire, *and ſome part of* Stafford *and* Derbyſhire, *I ſhall have told you all: The Marqueſs of* Newcaſtle *having attempted nothing, ſince the taking of* Winchfield-*Mannor*, Plymouth *remaining ſtill in the former condition, beſieged; and there having been nothing done betwixt my Lord* Hopton *and Sir* William Waller, *ſince the unlucky beating up of one of our Quarters at* Alton; *but we are in daily expectation of a Critical Blow between them, the Lord* Wilmot *being now joyned with the Lord* Hopton, *with a freſh Strength of* 1000 *Horſe, and both being under March to attain* Waller, *who hath poſſeſſed himſelf of* Arundel *Town, we having a ſtrong Garriſon in the Caſtle; and it is probably hop'd, that he cannot avoid Fighting with them upon diſadvantage. Thus much for the Military part.*

An. $16\frac{4}{4}$.

The Prince Harcourt's *Negotiation, by way of entremize for an Accommodation, is well nigh at an end, as I believe; for that the pretended Parliament will not hearken to any Propoſition from him, in any other way, than an avowed Addreſs; by which they might ſeem, either to be owned by him as a Parliament, and applied to by him as an Embaſſador; or elſe to be admitted by the King for ſomewhat more conſiderable, than He hath in a long time own'd them for; a Point which His Majeſty may not ſuffer them to gain, without ſubverting the Grounds and Maxims of all His late Proceedings againſt them, and that which He now goes upon by the Advice of all His Nobility here, as you will perceive by this incloſed Proclamation, upon the Effects whereof all the Eyes of the Kingdom are fixed; God ſend them to be as good actuated, as they are in ſpeculation; for I am confident, that in Reaſon it carries probability of the ſureſt and readieſt way to a re-eſtabliſhment of His Majeſty in His Juſt Rights and Powers, of any Courſe that hath been yet attempted. This is all, more than the Hearty Reſpect of*

Your very Affectionate
Friend and Servant

George Digby.

Oxon, Dec. 27. 1643.

I have received yours of the 19th, and will by the next give you an account of that particular in it, concerning your ſelf.

A Copy of the King's Privy Seal for Borrowing of Money, in the foregoing Declaration mentioned.

To Our Truſty and Well-beloved *Richard Tilney* of *Rotherwick*, Gent.

Charles R.

The King's Privy Seal to borrow Money by Advice of the Lords and Commons at *Oxford, Feb.* 14. $16\frac{4}{4}$.

TRuſty and Well-beloved, We Greet you well: Whereas all Our Subjects of the Kingdom of England *and Dominion of* Wales *are, both by their* Allegiance, *and* Act of Pacification, *bound to reſiſt and ſuppreſs all ſuch of our Subjects of* Scotland, *as have in an Hoſtile Manner already entred, or ſhall hereafter enter into this Kingdom; and, by Law, your Perſonal Service, attended in a Warlike Manner, for the Reſiſtance of this Invaſion, may be required by Us, which We deſire to ſpare, chooſing rather to invite your Aſſiſtance for the maintenance of Our Army in a free and voluntary expreſſion of your Affections to Our Service, and the Safety of this Kingdom. And whereas the Members of both Houſes of Parliament aſſembled at* Oxford, *have taken into their Conſideration the neceſſity of Supporting Our Army, for the defence of Us and Our People againſt this Invaſion, and for the Preſervation of the Religion, Laws, and Liberties of this Kingdom; and thereupon have agreed upon the ſpeedy raiſing of* one hundred thouſand Pounds, *by Loan, from particular Perſons, toward the which themſelves have advanced a very conſiderable Proportion; and by their Examples hope, that Our well-affected Subjects, throughout the Kingdom, will, in*

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19 Caroli.

a short time, make up the Remainder; whereby We shall not only be enabled to Pay and Recruit Our Army; but likewise be enabled to put Our Armies in such a condition, as Our Subjects shall not suffer by Free Quarter, *or the Unrulinesse of Our Soldiers, which is now in present agitation, and will (We no way doubt, by the Advice of the Members of both Houses assembled) be speedily effected.*

We do toward so good a Work, by the Approbation and Advice of the said Members of both Houses here assembled, desire you forthwith to Lend Us the sum of Two hundred Pounds, *or the value thereof in* Plate, *touch'd at Five Shillings, and untouch'd Plate at Four Shillings Four Pence* per Ounce; *and to pay or deliver the same, within seven days after the Receipt hereof, to the Hands of Our High Sheriff of that Our County, or to such whom he shall appoint to receive the same, (upon his Acquittance for the Receipt thereof,) who is forthwith to Return and Pay the same at* Corpus-Christi *College in* Oxford, *to the Hands of the Earl of* Bath, *the Lord* Seymour, *Mr.* John Ashburnham, *and Mr.* John Fettiplace, *or any of them, who are appointed Treasurers for the receiving and issuing thereof by the said Members, (by whose order only the said Money is to be disposed,) and to give Receipts for the same; the which We Promise to* Repay, *as soon as God shall enable Us: This Sum being to be advanced with speed, We are necessitated to apply Our Selves to such Persons as your self, of whose Ability and Affection We have confidence; giving you this assurance, that in such farther Charges, that the necessity of Our Just Defence shall inforce Us to require of Our Good Subjects, your Forwardnesse and Disbursements shall be considered to your best advantage. And so, presuming you will not fail to expresse your Affection herein, We bid you Farewel. Given at Our Court at* Oxford, *the 14th Day of* February, *in the Nineteenth Year of Our Reign,* 1643.

By the Advice of the Members of both Houses, assembled at *Oxford.*

Ed. Littleton.

Southampton. *Samuel Eure.*

To Mr. *Tilney* of *Rotherwick*, 200 *l.*

An. 1643.

The Declaration of the Lords and Commons of Parliament assembled at *Oxford*, according to His Majesty's Proclamation.

Concerning their Endeavours, since they came thither, for the Peace of the Kingdom, and the Reasons enforcing their absence from Westminster.

A Declaration of the Lords and Commons at *Oxford*, touching the Reasons enforcing their absence from *Westminster*.

WEE the Lords and Commons of Parliament, being upon just and important Reasons absent from the City of *Westminster*, whither we were legally called, or sent by the Power and Authority of his Majesty's *Writ*, when he summoned his Parliament, and being by his Gracious Proclamation of the 22d. day of *December* convened at *Oxford*, with full liberty to present our humble Advice to his Majesty, for the preservation of the Religion, Laws, and Safety of the Kingdom, thought it most agreeable to our Duty to God, our zeal and tenderness of his Majesty's Honour and Safety, and our Affection and Compassion of the bleeding Condition of our miserable Country, to use our utmost and earliest Endeavours, to prevent the effusion of more Christian *English Blood*, and to close those Wounds through which this Kingdom is in danger in a short time to languish even to Dissolution; and finding the ill success which had attended all the overtures of Treaty and Accommodation made by his Majesty; his Majesty's most Gracious Message from *Nottingham*, being with so much Contempt rejected, which being sent by Members of *both Houses*, those Messengers were not suffered to deliver it, as Members, or to sit in the House whilst the same was debated, contrary to the Privilege of Parliament; and that to the two last Messages, sent by him, of the twelfth of *April*, and nineteenth of *May*, (in both which are most Gracious Expressions of his Princely and passionate Inclinations to Peace, as may appear by those Messages herewith again † reprinted,) there hath not been the least Answer returned to his Majesty; but on the contrary his Messenger imprisoned, and to this Day detained, and an order that on pain of Death none should presume to come thither from his Majesty, upon what business soever, without leave from the Earl of *Essex*; in pursuance of which order, though the same passed only the Commons, a sworn Messenger of his Majesty's hath been barbarously put to Death, for carrying a Legal Writ to *London*. We thought any address for Peace would most successfully pass through his Hands; and that when he had considered how unhappily he had been made an Instrument of so much Blood and Devastation, he would with great cheerfulness have interposed in a business of Reconciliation, and, at least, have met us half way in so Blessed a Work; and therefore with his Majesty's leave, which he most readily and graciously gave us, (and for which we doubt not he shall receive the Thanks and Prayers of all his good Subjects,) we directed a Letter to that purpose to him, signed under our Hands; whosoever reads this Letter (and we hope it will be read by all Men) will bear us Witness, and it will be a Witness against those who have rejected it, that we have done our parts. Instead of vouchsafing us any Answer, or proposing us any other way towards Peace, (if that

† See them before in their proper Places.

which

which we propoſed was not thought convenient,) he writes a ſhort Letter to the Earl of *Forth*, General of his Majeſty's Army, acknowledging the receipt of ours, but ſaying, that it neither having addreſs to the *Two Houſes of Parliament*, *nor therein there being any acknowledgment of them*, he could not communicate it to them; whereas the Addreſs was in the way preſcribed, (under pain of Death no Addreſs being allowed, as aforeſaid, but by the Earl of *Eſſex*,) and he being deſired to repreſent to, and promote with Thoſe by whom he is truſted, our moſt ſincere and earneſt deſire of a Treaty; ſo that if there had been the leaſt inclination to, or enduring of an Overture of Peace, he might have as eaſily communicated it to all Thoſe by whom he is intruſted, as to a *Committee*, by whoſe advice, 'tis well known, his Anſwer was ſent; and with it, and as part of it, a Paper intitled, *The Declaration of the Kingdom of* Scotland; and, *A Declaration of the Kingdoms of* England *and* Scotland; and another, *A Solemn League and Covenant*; the Declarations and Covenant being againſt the King of both Kingdoms, without the conſent of, and againſt the major part of the Nobility, and we are confident the Gentry and Commonalty of *This*. And if his Lordſhip would make good his own Letter, and *ſpend his Blood*, or but uſe his Endeavours for the maintenance of the Parliament of *England*, (being indeed the Foundation whereupon all our Laws and Liberties are ſupported,) we ſhould not Treat at this diſtance, at leaſt a Treaty would not be rejected. We ſuffered not our ſelves to be diſcouraged with this refuſal, but a *ſafe Conduct* was deſired for two Gentlemen (againſt whom there neither was or could be the leaſt exception) to go to *Weſtminſter*, to preſent ſuch *Propoſitions* as might beſt conduce to the Peace of the Kingdom, conceiving that by ſuch means our Meaning and Intentions might beſt appear, and all *Formalities* and unneceſſary inſiſting and miſtakes upon Words might be removed: This ſafe *Conduct* (which had never been denied by his Majeſty, or his Generals, to any Perſon who hath deſired to have admittance to him) was likewiſe abſolutely refuſed by the Earl of *Eſſex*; yet with ſome expreſſions, that if any Propoſitions ſhould be ſent to thoſe by whom he was intruſted, he would uſe his utmoſt Endeavours to advance the Peace; which though it ſeem'd nothing agreeable to his former Anſwers, obtained yet ſo much credit with us, that we beſought his Majeſty once more, in his own Royal Name, to preſs and deſire a Treaty, and to direct his Meſſage under ſuch a Title that they who call themſelves, *The Two Houſes of Parliament*, could not take any exception, but ſhould be compelled to return ſome Anſwer or other; and an Anſwer it hath drawn from them, but *ſuch a one* as will ſufficiently inform the World (if there could yet have remained any doubt of it) how much they are Enemies to *Peace*; thoſe *Anſwers*, *Declarations*, and that *Covenant*, are likewiſe publick to all Men. God and the World muſt Judge between us. In the mean time we muſt, without bitterneſs or ſharpneſs of Language, (to which no Example or Provocation ſhall tranſport us,) tell theſe Men, That moſt of us are too well known, even to themſelves, to be ſuſpected to encline to be either *Papiſts* or *Slaves*, or that we can poſſibly be made Inſtruments to advance either Popery or Tyranny; and ſince the defence of the Religion, Laws, and Liberties of the Kingdom, ſeems to be (and in truth is on our part) the Argument of this bloody Contention, and that we are endeavouring all ways to deſtroy one another, in the behalf of That we all do, or all pretend to deſire, we think our ſelves obliged to Truth, to the preſent Age and to Poſterity,

19 *Caroli.*

An. 164¾. rity, to let the World know, That as we are much more tender of the Religion, Laws, and Liberty of the Kingdom, than of our Lives and Fortunes, ſo the uneaſie Condition wherein we are, and the heavy Judgments and Proſcriptions impoſed on us by our Equals, have proceeded and been cauſed from that Conſcience, Loyalty, and Duty, in which we have been born and bred, and from which we could not ſwerve without the manifeſt breach of our Allegiance, and thoſe civil Oaths we are obliged by, as we hope, will appear to all Men by this our enſuing Declaration.

We ſhall paſs over, (only acknowledging his Majeſty's abundant care and favour to his People) thoſe excellent Laws made this Parliament, for the vindication and removal of thoſe Miſchiefs and Inconveniencies, which ſeemed to threaten our Rights and Liberty, to all which there are very few amongſt us who concurred not fully, (however we are now traduced with the negligence of both;) and that moſt Gracious Offer of his Majeſty, to conſent to *An Act for the eaſe of tender Conſciences in matters indifferent*, which if it had been accepted *would have prevented many of the Miſeries* have ſince befallen this poor Kingdom.

And becauſe the Name and Privilege of Parliament is pretended in defence of thoſe Actions, which are done contrary to the *known Laws*, by which only *Right* and *Wrong* can be meaſured and determined, and by that venerable Name many of our Companions and Friends have been led into unwarrantable Actions, before we come to conſider the State and Condition of the Religion, Laws, and Liberty of the Kingdom by theſe Diſtractions, we ſhall let the World know, how much the inherent and eſſential Privileges of Parliament have been violated; how we (being called by his Majeſty, and truſted by our Country with their Suffrages in that Council) have been driven, and are now kept from the place whither we were firſt called by his Majeſty, and where ſome Members ſtill ſit; and laſtly, how far this miſerable, and, to ſay no more, this *unjuſtifiable* Civil War, and this deſperate and odious Invitation of a Foreign Power to invade this Kingdom, is from having the Countenance, Authority, and Approbation of the Two Houſes of Parliament.

The great Induſtry and ill Arts uſed by thoſe who have ſince been principal Inſtruments of the preſent Rebellion, to bring in Perſons of their Faction into the Houſe of Commons; the admitting, and receiving ſuch who were neither lawfully choſen, nor lawfully returned by their Country, and the putting and keeping out others whoſe Opinions were not liked; the reprehending, reproaching and impriſoning of Members for ſpeaking freely according to their Conſciences in matters in debate; the poſting and ſetting up Men's Names in publick places; the proſcribing them as Enemies to their Country, who diſſented in the Houſes in opinion in matters debated, and being complained of, no reparation granted; the ſitting at unparliamentary Hours, thereby wearying and tyring many Members from attendance, and ſo in a *thin* Houſe altering and reverſing the reſolution taken in a *full* Houſe; the refuſing to receive and ſuppreſſing Petitions againſt Perſons in favour, though in point of *Bribery* and Corruption in Judicatory, and the like of other Petitions from whole Counties, for the preſervation of the Government of the Church, as from *Nottinghamſhire* and *Somerſetſhire*; whilſt others againſt it were received with great Countenance and Approbation from mean unknown People; the getting, with great Labour and Faction, ſeveral hands to Petitions from

from Counties, and then framing new Petitions at *London*, and annexing the Hands, formerly gotten in the Country, to thoſe Petitions, of which they who ſubſcribed their Hands know nothing, as in the Petition of *Buckinghamſhire*; and the ſetting Names in *London* to Petitions in the Name of (as if they had been ſubſcribed in) remote Counties; the uſurping of Juriſdictions to ſuperſede Acts of Parliament, and to diſpenſe with the breach of Laws in force; the ſuffering undutiful and diſloyal Language againſt the Sacred Perſon of the King, without ſo much as reprehenſion, and the denying his Majeſty's *Negative Voice*, we inſiſt not ſo much on (though very prejudicial and ſcandalous to the Privileges and Honour of Parliament) as on thoſe Acts of Force and Violence, which are contrary and deſtructive to the Freedom and Liberty of Parliament. 19 *Caroli.*

Shortly after, his Majeſty returned from *Scotland*, there being a very long Debate in the Houſe of Commons, concerning an unparliamentary Remonſtrance to be publiſhed to the People of the *State of the Kingdom*, which many of us then thought might prove prejudicial to the Peace thereof, Captain *Venne*, then a Member of the Houſe of Commons, who had before bragg'd of having brought down the People upon the Two Houſes, and ſo drawn Reſolutions from them, ſent Notes in Writing under his Hand into the City, that the People ſhould come down to *Weſtminſter*, for *that the better part of the Houſe was like to be over-powered by the worſer part*; whereupon both at that time, and ſome days after, multitudes of the meaneſt ſort of People, with Weapons not agreeing with their Condition or Cuſtom, in a manner very contrary and deſtructive to the Privilege of Parliament, filled up the way between both Houſes, offering Injuries both by Words and Actions to, and laying violent Hands upon ſeveral Members, proclaiming the Names of ſeveral Peers, as *evil and rotten-hearted Lords*, crying out many hours together againſt the eſtabliſhed Laws, in a moſt tumultuous and menacing way; this Action of Captain *Venne's* was complained of to the Houſe of Commons, and Witneſſes offered to prove it; a Fellow who had aſſaulted and reproached a Member of the Houſe of Commons in thoſe Tumults was complained of, and ſhew'd to the Houſe, in the number of thoſe that brought a Petition to the Bar, and yet in neither of theſe Caſes Juſtice, or ſo much as an Examination, could be obtained.

Upon a ſuggeſtion and pretence of Danger, and ſuit made to his Majeſty, a Guard was allowed and appointed by Him for the ſecurity of both Houſes; ſhortly after, this Guard was refuſed and diſcharged by themſelves, and a new Guard appointed by them, without his Majeſty's conſent, thereby to awe all thoſe who concurred not with them; a Legal Writ iſſuing out by the direction of the Houſe of Pears, under the Great Seal of *England*, to prevent thoſe Tumults which daily inſeſted both Houſes, the Juſtices of the Peace, for executing the Writ according to their Oaths, were impriſoned by the Houſe of Commons; a Commiſſion under the great Seal of *England*, for Enquiry after Riots committed in *Southwark*, was likewiſe ſuperſeded by an Order of the Houſe of Commons; and when the Lords deſired by ſeveral Meſſages that the Houſe of Commons would joyn with them in a Declaration againſt Tumults, they refuſed, or neglected to joyn with them, it being ſaid by Mr. *Pym* in the Houſe of Commons, *God forbid we ſhould diſhearten our Friends who come to aſſiſt us*: And albeit ſome of the Lords profeſſed, that if the People were again drawn down in that tumultuous manner, they would no more

An. 164¾. more come to the Houſe; and albeit an Order was made, that in ſuch a caſe the Houſe ſhould be preſently Adjourned, yet thoſe Tumults again appearing, that Order, though urged by ſeveral Lords, was not ſuffered to be executed.

The Houſe of Commons having deſired the Houſe of Peers to joyn with them in deſiring his Majeſty, that the *Militia* of this Kingdom might be put into ſuch Hands as both Houſes did confide in, and this deſire having been put to the queſtion, and carried negatively by much the major part of the Lords; it being again reſumed at another time, contrary to the courſe of Parliament, the Debate was begun with a a Declaration made by ſeveral of thoſe Lords, againſt whom that queſtion was twice carried by Votes, (and that by much the major part,) That whoſoever refuſed in this particular to joyn with the Houſe of Commons, were in their Opinions Enemies to the State, Words deſtructive to the Liberty and Freedom of Debate.

During the time that this buſineſs of the *Militia* was in Debate, (that is, before it had approbation and conſent of the Houſe of Peers,) a Petition in a tumultuous manner was delivered to the Houſe of Lords, in the Name of the Knights, Gentlemen, Freeholders, and others the Inhabitants of the County of *Hartford*, reckoning up the Cauſes of the preſent Fears, Troubles, and Diſtractions, and among them the want of *Compliance in that Honourable Houſe with the Houſe of Commons, in entertaining thoſe many good Motions, and paſſing thoſe neceſſary Bills preſented to them from that Houſe for the Publick Good; and deſiring liberty to proteſt againſt all thoſe, as Enemies to the Publick, who refuſed to joyn with the Honourable Lords, whoſe endeavours were for the Publick Good; and with the Houſe of Commons, for the putting the Kingdom into a poſture of Safety, under the Command of ſuch Perſons as the Parliament ſhould appoint*: Several Petitions of the ſame Nature, particularly one under the Title of *The Knights, Gentlemen, Freeholders, and other Inhabitants of the County of* Surrey, directed to the Houſe of Peers, concluded with this clauſe, *That they ſhould be in Duty obliged to maintain their Lordſhips, ſo far as they ſhould be united with the Houſe of Commons in their Juſt and Pious Proceedings*; ſufficiently intimating, that if they joyned not with the Houſe of Commons, they then meant as much as others had plainly profeſſed. About the ſame time, a Citizen ſaying at the Bar of the Houſe of Commons, *That they heard there were Lords who refuſed to conſent and concur with them, and that they would gladly know their Names*, or Words to that effect. A Petition in the Names of many Thouſand poor People, in and about the City of *London*, was directed to the Houſe of Commons, taking notice of a *Malignant Faction that made Abortive all their Good Motions; which tended to the Peace and Tranquillity of this Kingdom*; deſiring, *That thoſe Noble Worthies of the Houſe of Peers, who concurred with them in their happy Votes, might be earneſtly deſired to joyn with that Honourable Houſe, and to Sit and Vote together, as one entire Body*; and profeſſing, *That unleſs ſome ſpeedy remedy were taken for the removing all ſuch Obſtructions, as hindred the happy Progreſs of their great Endeavours, their Petitioners ſhould not reſt in quietneſs, but ſhould be forced to lay hold on the next Remedy which was at Hand, to remove the Diſturbers of the Peace, and (Want and Neceſſity breaking the Bounds of Modeſty) not to leave any means unaſſayed for their relief*; laſtly, adding, *That the Cry of the Poor and Needy was, That ſuch Perſons, who were the Obſtacles of their Peace, and the Hinderers of the happy Proceedings of this Par-*

19 *Caroli.*

Parliament, might be forthwith publickly declared, whoſe removal they conceived would put a period to thoſe Deſtructions: And this Petition was brought up to the Houſe of Lords, by the Houſe of Commons, at a Conference; and after, the ſame day, Mr. *Hollis*, a Member of the Houſe of Commons, in a Meſſage from that Houſe preſſed the Lords at their Bar to joyn with the Houſe of Commons in their deſire about the *Militia*; and farther with many other expreſſions of like Nature deſired in Words to this effect, *That if that deſire of the Houſe of Commons were not aſſented unto, thoſe Lords who were willing to concur, would find ſome means to make themſelves known, that it might be known who were againſt them, and they might make it known to thoſe that ſent them*: After which Petition ſo ſtrangely framed, countenanced and ſeconded, many Lords thereupon withdrawing themſelves, the Vote, in order to the *Militia*, twice before rejected, was then Paſſed.

After theſe and other unparliamentary Actions, many things rejected and ſettled upon Solemn Debate, were again after many Threats and Menaces, reſumed, altered, and determined, contrary to the Cuſtom and Laws of Parliament; and ſo, many of us withdrew our ſelves from thence, where we could not Sit, Speak, and Vote, with Honour, Freedom, and Safety; and are now kept from thence for our Duty and Loyalty to our Soveraign, and though ſome of us ſate and continued there long after this, hoping that we might have been able to have prevented the growth and progreſs of farther miſchief; yet ſince the Privilege of Parliament is ſo ſubſtantial and entire a Right, that as the Invaſion of the Liberties of either Houſe is an injury to the Other, and the whole Kingdom; ſo the Violence and Aſſaults upon any of our Fellow-Members, for expreſſing their Opinions in matters of Debate, were Inſtances to us, what we were to look for, when we ſhould be known to diſſent from what was expected, and under that conſideration every one of our juſt Liberties ſuffered Violation.

Many of us having for theſe and other Reaſons, after his Majeſty himſelf was by many Indignities and Force driven from *Weſtminſter*, have been, contrary to the Right and Freedom of Parliament, Voted out of the Houſe, without committing any Crime, and ſome of us without *hearing* or ſo much as being ſummoned to be heard, and ſo our Countries, for which we were, and are truſted, have been without any Proxies or Perſons truſted on their behalf. An Army hath been raiſed without, and againſt his Majeſty's conſent, and a *Proteſtation* enjoyned to live and die with the Earl of *Eſſex*, their General of that Army; and a Member now amongſt us refuſing to take that Proteſtation, was told, *That if he left not the Town ſpeedily he ſhould be committed to the Tower, or knocked on the Head by the Soldiers.* All Perſons, even the Members of both Houſes, have been and now are forced, or enjoyned to contribute for the maintenance and ſupport of that Army. A Trayterous Covenant is ſince taken by the Members who remain, and impoſed upon the Kingdom, *That they will to their power aſſiſt the Forces raiſed and continued by both Houſes of Parliament, againſt the Forces raiſed by the King*, with many other Clauſes, directly contrary to their Allegiance, and another for *The alteration of the Government of the Church eſtabliſhed by Law*; and ſuch Members as have refuſed, contrary to their Duty and Conſcience, to take thoſe Covenants, have been impriſoned or expelled, ſo as they have ſuffered none to reſide with them, but thoſe who are engaged with them in their deſperate Courſes.

An. 164$\frac{3}{4}$.

The whole Power and Authority of both Houſes is delegated, againſt the Law and Nature of Parliament, to a cloſe Committee, which aſſumes and uſurps the Power of King, Lords, and Commons, diſpoſes of the Perſons, Liberties, and Eſtates of us and our Fellow-Subjects, without ſo much as communicating their Reſolutions to thoſe that ſit in the Houſes; and when an Order hath been reported to be confirmed by them it hath been only put to the Queſtion, no Debates being ſuffered, it having been ſaid in the Houſe where the Commons ſit, to thoſe who have excepted againſt ſuch an Order, when preſented, That they were only to *Vote, not to Diſpute*, and thereupon all Argument and Contradiction hath been taken away: And to ſhew how impoſſible it is to contain themſelves within any Bounds of Civility and Humanity when they have forfeited their Allegiance, after the attempt in a moſt barbarous manner to Murder the Queen's Majeſty at her landing at *Burlington*, by making many great Shot at the Houſe where ſhe lodged for her Repoſe after a long Voyage by Sea, where, by God's Bleſſing it was diſ-appointed, they impeached her of *High-Treaſon*, for aſſiſting the King her Husband, and the Kingdom in their greateſt neceſſities. All Petitions and Addreſſes of Peace have been, with great Art and Vehemence, diſcountenanced and ſuppreſſed, whilſt others for Sedition and Diſcord have with no leſs Induſtry and Paſſion been promoted; and when the Members of the Houſe of Commons in *Auguſt* laſt, had agreed upon a long and ſolemn Debate to joyn with the Lords in ſending Propoſitions of Peace to his Majeſty, the next day printed Papers were ſcattered in the Streets, and fix'd upon the publick places, both in the City and Suburbs, requiring *all Perſons well-affected to riſe as one Man, and to come to the Houſe of Commons next Morning, for that* 20000 *Iriſh Rebels were landed*, which Direction and Information was likewiſe that Day given in Pulpits by their Seditious Preachers; and in ſome of thoſe Papers was ſubſcribed, *That the Malignant Party had over Voted the Good, and if not prevented there would be Peace*, (the Propoſitions for Peace being the Day before carried by nine and twenty Voices;) a Common Council was called late at Night, though *Sunday*, and a Petition there framed againſt Peace, which was the next Morning brought to the Houſe, countenanced by Alderman *Pennington*, (a known Promoter and Governour of thoſe Tumults,) and attended with a great multitude of mean Perſons, who uſed Threats, Menaces and Reproaches to the Members of both Houſes, their Petition took notice of *Propoſitions paſſed by the Lords for Peace*, which if allowed, would be deſtructive to Religion, Laws, and Liberties; and therefore deſired an Ordinance according to the Tenor of an Act of their Common Council the Night before. Thanks was given them by the Commons, whilſt the Lords complained of the Tumults, and deſired a Concurrence to ſuppreſs them, and to prevent the like; many of the People telling the Members of both Houſes, that if they had not a good Anſwer they would be there the next Day with double the number: By theſe Threats and Violence, the Propoſitions formerly received were rejected, and all thoughts of Peace laid aſide. Shortly after, great numbers of Women reſort to the Houſe where the Commons ſat, with a Petition for Peace, Troops of Horſe were hereupon ſent for, who wound and kill ſeveral of the Women, and diſperſe the reſt. Then ſpecial notice was taken of thoſe Members who ſeemed moſt importunate and deſirous of Peace, and thereupon the late Covenant eagerly and ſeverely preſſed upon them; by reaſon whereof,

whereof, and the other Miſcarriages, whereby their Freedom was abſolutely taken from them, divers of both Houſes withdrew themſelves. 19 *Caroli.*

And we muſt now Appeal to all our Fellow-Subjects of this Kingdom, who have taken the Oaths of Allegiance and Supremacy, who have any knowledge of the Rights, Cuſtoms, and Privileges of Parliament, or of the Frame and Conſtitution of this Realm, Whether We or They have fail'd in our Duty to our King or Country? And whether we have not, in diſcharge of a good Conſcience, undergone the Evils we have born? And then we doubt not, we ſhall not be thought leſs Members of Parliament, though we are not at *Weſtminſter*, than if that City were in the poſſeſſion of a Foreign Enemy: Yet we confeſs the place to be ſo material, that if there were that Liberty and Freedom which is due to the Members, and indeed is the Life of Parliament, the Act of thoſe in the Houſe (being a Lawful Act) is the Act of the Houſe, though there were a greater number abſent, who were all of another Opinion. But in our Caſe, when we are by force driven away, and by force kept away, and when nothing can be ſaid to juſtifie the Actions which are done, but the Reputation and Number of the Actors, we rely ſo much upon the Underſtanding and Honeſty of our Country-men, That they will believe, when they ſee our Concurrence and Unanimity in Reſolutions and Counſel for their Peace, Welfare, and Security, (as we are confident the number of thoſe who concur in this Declaration, is greater than hath concurred in moſt, if not in any of thoſe things of which we complain,) that it will be better for them to be adviſed by us at *Oxford*, than by thoſe at *Weſtminſter*, from whence we are abſent only by reaſon of thoſe Outrages and Violences offered to our Perſons or our Conſciences, which take away all Freedom, and conſequently all Authority from thoſe Counſels, and where indeed theſe Men ought not to undertake to act any thing, till that Freedom and Liberty be reſtored to us; who as long as this Parliament ſhall continue, notwithſtanding all the Votes of thoſe who are Guilty of Treaſon and Rebellion, muſt account our ſelves, and ſhall be accounted by our Country, the true and lawful *Members of Parliament*.

Having ſaid thus much to undeceive our Brethren, and that our Fellow-Subjects may be no longer ſeduced to unlawful Actions, by colour and pretence of Parliament; we ſhall briefly preſent to their view and conſideration the Danger and Condition of His Majeſty's Perſon, His Honour, and Rights, the Religion and Liberty of the Kingdom, the defence and maintenance of which thoſe Perſons, with whom we cannot agree, ſeem and pretend to undertake. For their care of the Honour and Safety of His Majeſty's Perſon, (to the which we are ſo abſolutely Obliged, and ſo ſolemnly Sworn,) we ſhall need only to mention (which we mention with great ſadneſs of Heart and horrour) the taking by force His Majeſty's Forts, Towns, Navy; the aſſuming a Power over the *Militia* of the Kingdom; the denying His Majeſty's *Negative Voice*; the uncomely, inſolent, and diſloyal mentioning of His Majeſty's Perſon; the neglect, contempt, and violation of Leagues made by His Majeſty with Foreign Princes, in the Injuries and Affronts done to their Publick *Miniſters*, and otherwiſe; the tranſcendent Preſumption of ſending Agents to Foreign Princes, and in the Name of the *States of Ireland*; the Traiterous diſtinction between the *Perſon* of the King and His

An. 164¼. *Office*, and declaring, that an Attempt upon His Life is not *High-Treaſon*, which Doctrine is ſo much countenanced, that Perſons, who have threatned to kill the King, having been complained of, have been left unpuniſhed, and the Witneſſes and Proſecutors threatned or diſcountenanced; the raiſing an Army againſt him, and therewith giving Battle to His Perſon, all which are known to be very unagreeable with the Affection, Duty, and Loyalty of Subjects, and *Engliſh* men.

Concerning Religion, we cannot but with bleeding Hearts, and trembling Souls, conſider the unheard of Impieties and Prophanations exerciſed in Churches, and *Conſecrated Places*; the Countenance and Licenſe given to ſcandalous, debauch'd, ignorant *Lay Perſons* to Preach, and exerciſe the Office of the *Miniſtry*, the ſuppreſſing and cruel uſing and impriſoning in Gaols, and on Ship-board, Godly, Learned, Orthodox *Divines*, famous and exemplary in their Lives and Doctrine, the moſt eminent Aſſertors of the Proteſtant Religion, againſt Popery and Innovations; the ſcurrillous and ſcandalous reviling, ſcoffing, and ſuppreſſing the *Book of Common Prayer*, compiled by Glorious Martyrs for the Proteſtant Religion eſtabliſhed by Law, and ſo long, and ſo publickly uſed, and acknowledged as an excellent and unparallell'd Form of Devotion and Divine Service; the ſuſpending the Execution of the Act of Parliament, made in the Firſt Year of Queen *Elizabeth* of Famous Memory, for *Uniformity of Common Prayer*, by an Order under the Hand of a private Member of the Houſe of Commons, and that during the Receſs of both Houſes; the ſtirring up and inciting the People to Rebellion in Pulpits, and (which is the greateſt ſcandal and reproach to the Proteſtant Religion that can be imagined) the making Religion it ſelf the ground and cauſe of Rebellion; laſtly, after having lived ſo many years in the moſt Glorious, and moſt unblemiſhed Church of Chriſtendom, the total defacing and pulling down the whole Fabrick of it, cenſuring and reproaching the Doctrine, and deſtroying the Diſcipline, and (as if we were caſt aſhore in ſome uninhabited Climate, where the Elements of Chriſtianity were not known) the Calling, without the leaſt ſhadow or colour of Law, or Lawful Authority, againſt His Majeſty's expreſs conſent, manifeſtly againſt the Statute of the 25th year of King *Henry* the Eighth, *An Aſſembly of Divines*, compoſed of ſome Noblemen, Gentlemen, and Miniſters, all under the Stile of *Godly and Learned Divines*, moſt of which are not otherwiſe known, than by their *Schiſm* and Separation from that Church, in which they were born, and to which they have ſubſcribed, and theſe Men now muſt *new-make* and mould the Religion by which we muſt all be ſaved. God in his good time we hope will vindicate his own Cauſe, and repair the Breaches which have been lately made.

For the Laws of the Land, and the Liberty of the Subject, ſo ſpeciouſly urged and pretended, to be the end of thoſe who have diſturbed our Peace, we need ſay little; every place and every Perſon is an ample Evidence and Teſtimony of the bold and avowed violation of either; the Charter of our Liberties, *Magna Charta*, ſo induſtriouſly and religiouſly preſerved by our Anceſtors, and above Thirty ſeveral times confirmed in Parliament, that Rampire and Bulwark of all the precious Privileges and Immunities which the Subjects of this Kingdom could boaſt of, and which diſtinguiſhes them from all the Subjects of Chriſtendom, is levelled and trampled

19 *Caroli.*

pled under foot, ſcorned, deſpiſed, and ſuperſeded by *Votes* and *Orders*; Men of all ſorts, Clergy and Laity, impriſoned without the leaſt Charge that by the Law is called a Crime, and their Eſtates are *ſequeſtred* by Perſons of whom the Law can take no notice; Committees, made by Committees, rob, baniſh, and impriſon the Lords and Commons of *England*; Men committed by Perſons of no Authority, for no cauſe, to Priſon, have by *Habeas Corpus*, (the good old Remedy and Security for our Liberty,) been brought to the King's Bench, and by the Command of thoſe who firſt committed them remanded, and Commands given to the *Judges* that they ſhould grant no *Habeas Corpus* (which they were Sworn to grant,) to any Perſons committed by them, or by thoſe to whom they grant Authority to commit, which themſelves have not power to do; neither can we paſs over the Motion made by Mr. *Rigby*, a Member of the Houſe of Commons, to tranſport thoſe Lords and Gentlemen who were Priſoners, and by them accounted Malignants, to be ſold as Slaves to *Argiers*, or ſent to the new Plantation in the *Weſt-Indies*, urged the ſecond time with much earneſtneſs, becauſe the Propoſer had contracted with two Merchants to that purpoſe; the which, though it took no effect at that time, may awaken thoſe who have obſerved ſo many things to paſs and be ordered, long after it hath been once or twice denied and rejected; and who ſees the new and inhumane way of impriſoning Perſons of Quality under Decks on Shipboard, by which cruel uſage, many of our Country-men have been murthered, may have reaſon to fear they may be hereafter carried a longer Voyage than is yet avowed; the twentieth part of our Eſtates is at once taken, and if we are not willing to obey that Order, the other *nineteen* are take from us as *Malignants*, a term unknown and undefined, and yet crime enough to forfeit our Lives, and all that we have; our Fellow-Subjects have been executed in cold Blood, for doing that which by the Laws of God and Man they were bound to do, and after their Murther, their Eſtates ſeized, and their Wives and Children expoſed to Miſery and Famine; Laws made, and Penalties impoſed by Laws this Parliament, are ſuſpended, diſpenſed withal, and thoſe things done by Order, againſt which thoſe Laws were made; and that there may be no Face of Juſtice over the Land, the Judges are prohibited to ride their Circuits, for the Adminiſtration of that Juſtice which the King owes his People, and they are bound to execute: And after all this, and after the mercileſs ſhedding of ſo much *Engliſh* Blood, after the expending ſo much Money, (much of which was given for relief of our poor Proteſtant Brethren of *Ireland*, and diverted for the improving the Diſtractions at home,) after the Tranſportation of ſuch vaſt Sums of Money, and great Treaſure into Foreign parts, to the unſpeakable impoveriſhing this poor Kingdom; to make our Miſery laſting, and our Confuſion compleat, a *Foreign* Enemy is invited and brought into the Bowels of this Kingdom, to drink our Blood, to divide our Poſſeſſions, to give us new Laws, and to rule over us; and the better to make way to thoſe horrid Impoſitions, by confounding and making void all Civil Rights and Proprieties, and the better preparing the Kingdom to be ſhared by Strangers, a new *Great Seal* (the ſpecial Enſign of Monarchy, and the only way by which Juſtice is derived and diſtributed to the People) is counterfeited and uſed, albeit it be by the expreſs Letter of the Statute of the 25th year of King *Edward* the Third, declared to be *High-Treaſon*.

Having

An. 164$\frac{3}{4}$. Having now made this clear plain Narration to the Kingdom, (the truth and particulars whereof are known to moſt Men,) that when Poſterity ſhall find our Names in the Records of theſe times, as Members truſted by our Country in that great Council, by whoſe Authority and Power the preſent Alteration and Diſtraction ſeems to be wrought, it may likewiſe ſee how far we have been and are from conſenting to theſe deſperate and fatal Innovations, we cannot reſt ſatisfied without declaring and publiſhing to all our Fellow-Subjects, and to the whole World, That all our Intentions and Actions have been, are, and ſhall be directed to the defence of His Majeſty's Perſon and Juſt Rights; the preſervation of the true Proteſtant Religion, and Liberties of the Kingdom, eſtabliſhed by Law: That as we do with all humility to God Almighty, and as a great Bleſſing from him, acknowledge His Majeſty's Happy and Religious Reign and Government over this Kingdom, and eſpecially the excellent Laws and Statutes made in his time, and particularly Thoſe in this Parliament, ſo we do with all Duty and Submiſſion declare, That His Majeſty is the only Supreme Governor of this Realm in all Cauſes Eccleſiaſtical and Temporal; That His Natural Perſon is not to be divided from His Kingly Office, but that our Natural Allegiance, and the Oaths of Allegiance and Supremacy, do bind us and all His other Subjects, to Loyalty and Allegiance to His Natural Perſon; That His Majeſty's Negative Voice, (without which Monarchy is diſſolved,) is an inherent Right of His Crown, and that no Orders of one or both Houſes of Parliament, without His Majeſty's expreſs conſent, can make a Law to bind the Subjects, either in their Property or Liberty; That we do from our Souls abhor the preſent Rebellion raiſed in this Kingdom againſt His Majeſty, and that all His Majeſty's Subjects are bound by their Natural Allegiance, and the Oaths lawfully taken by them, to the utmoſt of their power, to reſiſt and repreſs the ſame, and particularly the Army now under the Command of the Earl of *Eſſex*, and all other Armies raiſed, or to be raiſed without His Majeſty's conſent, under pretence of the Authority of the Two Houſes of Parliament; and we do diſclaim all Votes, Orders, and Declarations in countenance or maintenance of the ſaid Armies: And declare that no *Oath* or *Covenant* voluntarily taken, or inforced, doth or can bind or diſpenſe with the breach of thoſe other Oaths formerly and lawfully taken to His Majeſty; and that all thoſe who aid, aſſiſt, or abett this horrid and odious Rebellion, are, and ought to be accounted and purſued as Traytors, by the known Laws of the Land; that we utterly deteſt and diſclaim the Invitation which hath been made to His Majeſty's Subjects of *Scotland* to enter this Kingdom with an Army, the ſame being as much againſt the deſires, as againſt the Duty of the Lords and Commons of *England*, and all true-hearted *Engliſh*-men; and we do declare and publiſh to the World, that any ſuch Invaſion, or hoſtile entry into the Kingdom, by the Rebellious Subjects of *Scotland*, is a direct and peremptory breach of the late *Act of Pacification* between the Two Kingdoms; ſo we, and all the Subjects of this Kingdom are bound by our Allegiance, and by that very Act, to reſiſt and repreſs ſuch Invaſion; and whoſoever is or ſhall be abetting, aiding, or aſſiſting to thoſe of *Scotland*, in their Hoſtile Invaſion of this Kingdom, ought to be looked upon as Betrayers of their Country, and are guilty of *High-Treaſon* by the known Laws of this Kingdom.

And

19 *Caroli.*

And that our weak, miſled and ſeduced Country-men, may no longer pay an implicite regard and reverence to the abuſed Name of Parliament, (which theſe Guilty Perſons uſurp to themſelves,) and ſo ſubmit to thoſe Actions and Commands, which Two Houſes of Parliament, never ſo legally and regularly conſtituted, have not Authority to require or enjoin; and ſince theſe Men will not ſuffer their poor Country to be reſtored by a Treaty to the benefit of a Parliament, which would by God's Bleſſing eaſily remove theſe Miſeries, and prevent the like for the time to come, We muſt and do declare to the whole Kingdom, That as at no time either or both Houſes of Parliament, can by any Order or Ordinance impoſe upon the People without the King's conſent; ſo by reaſon of the want of Freedom and Security for all the Members of Parliament to meet at *Weſtminſter*, and there to Sit, Speak, and Vote with Freedom and Safety, all the Actions, Votes, Orders, Declarations, and pretended Ordinances, made by thoſe Members who remain ſtill at *Weſtminſter*, are void and of none effect; and as many of the Lords and Commons aſſembled at *Weſtminſter*, as have at any time conſented to the raiſing of Forces under the Command of the Earl of *Eſſex*, or to the making and uſing of the new *Great Seal*, or to the preſent coming of the *Scots* into *England* in a Warlike Manner, have therein broken the Truſt repoſed in them by their Country, and are to be proceeded againſt as Traytors; and yet we are far from Diſſolving, or attempting the *Diſſolution* of this Parliament, or the Violation of any Act made and confirmed by His Majeſty's Royal Aſſent this Parliament, which we ſhall always maintain and defend; Acts of Parliament are only in danger to be deſtroyed by thoſe who undervalue and deſpiſe the Authority and Power of Acts of Parliament; who therefore deny the King's Negative Voice, and neglect his Concurrence, that their own Reſolutions may be reputed as Acts of Parliament, to the ruine and confuſion of all Laws and Intereſt: It is our grief in the behalf of the whole Kingdom, that ſince the Parliament is not Diſſolved, the Power thereof ſhould, by the Treaſon and Violence of theſe Men, be ſo far ſuſpended, that the Kingdom ſhould be without the Fruit and Benefit of a Parliament, which cannot be reduced to any Action or Authority, till the Freedom and Liberty due to the Members be reſtored and admitted; and they who oppoſe this, muſt be only looked upon as the Enemies to Parliament: In the mean time we neither have or ſhall attempt any thing for the Adjourning, Diſſolving, or Proroguing thereof, otherwiſe than as it may ſtand with the Act in that caſe provided.

Laſtly, We declare, that our Endeavours, Actions, and Reſolutions tend, and are directed, and ſhall always be directed to the maintenance of God's true Religion, eſtabliſhed by Law within this Kingdom; to the defence of His Majeſty's Sacred Perſon, His Honour and Juſt Rights; to the preſervation of the Liberty and Property of the Subject, ſettled, and evident by the Laws, Statutes, and Cuſtoms of the Realm; and the juſt Freedom, Liberty, and Privilege of Parliament; and that what we ſhall do for the defence and maintenance of all theſe, proceeds from the Conſcience of our Duty to God, our King and Country, without any private and ſiniſter ends of our own, and out of our ſincere love to Truth and Peace; the which as we have, ſo we ſhall always labour to procure, as the only Bleſſed End of all our Labours: And we do therefore conjure

all

An. 164$\frac{1}{4}$. all our Country-men and Fellow-Subjects, by all thoſe precious Obligations of Religion to God Almighty, of Loyalty towards their Sovereign, of Affection towards one another, and of Charity and Compaſſion towards their bleeding Country, to aſſiſt and joyn with us in the ſuppreſſing thoſe Enemies to Peace, who are ſo much delighted with the Ruine and Confuſion they have made, that they will not ſo much as vouchſafe to Treat with us, that ſpecious Pretences might be taken away, and the Grounds of this bloody Contention clearly ſtated to the World; if theſe Men, with a true ſence and remorſe of the ill they have done, ſhall yet return to their Duty and Loyalty, they ſhall, God willing, find us of another temper towards them, than they have been towards us; and if the Conſcience of their Duty ſhall not draw all our Fellow-Subjects and Country-men to joyn with us in aſſiſting His Majeſty, we hope that the prudent Conſideration, that 'tis impoſſible to Reaſon, for our miſerable Country ever to be reſtored to Peace and Happineſs, but by reſtoring all juſt and legally due Power and Authority into His Majeſty's Hands again, will direct them what is fit to be done by them: And if any yet ſhould be ſo unskilful, and to ſay no worſe, vulgar-ſpirited, to hope for a Neutrality and odious Indifferency, to reſt ſecure in this Storm, though we ſhall not follow the Examples of other Men, in telling them, that their Eſtates ſhall be forfeited and taken from them, as pernicious and publick Enemies, (God be thanked, the Law is not ſo ſuppreſt, but that it proceeds in Attainders and Forfeitures, and all Men know an Eſtate eſcheated to His Majeſty by High-Treaſon, is as much, as legally His Majeſty's, or his to whom His Majeſty grants it, as ever it was the unhappy Perſons who hath ſo forfeited it;) yet we muſt let them know, that their condition is like to be very dangerous, and that as they, for reſiſtance of whom His Majeſty's Armies are raiſed, have declared to them what they are to expect at their Hands; that is, to be dealt with as pernicious and publick Enemies; ſo they have reaſon to believe, that His Majeſty cannot look upon them as Perſons who have performed that Duty they are obliged to by their Natural Allegiance, and their Oaths enjoyned by Law, which is *to defend the King to the utmoſt of their Power, againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt His Majeſty's Perſon, His Crown and Dignity; and to do their beſt endeavours to diſcloſe and make known to him all Treaſons and Conſpiracies which ſhall be againſt him, to their Power to aſſiſt all Juriſdictions, Privileges, Preheminencies and Authorities belonging to him, or united to the Imperial Crown of this Realm.*

The juſt and pious conſideration and weighing of which Oath and Obligation, muſt ſtir up all Men of Loyalty and Conſcience, to be induſtrious and active on His Majeſty's behalf againſt this horrid and odious Rebellion, and againſt the Authors and Fomenters of the ſame; and we are confident it will not a little encreaſe the Indignation of all good *Engliſh*-men, to find theſe Diſturbers of their Peace, who have ſo ſpeciouſly pretended the defence of the Rights and Privileges of Parliament, unite themſelves with, and govern their Actions by the concurrent Advice and Conſent of Commiſſioners of another Kingdom, whoſe buſineſs is to alter our Laws, and confound our Government; and if all the other particulars ſo plainly ſet down in this Declaration, and ſo publickly known,

known to moſt Men, were wanting, there could not be a greater inſtance of deſerting the Dignity and Right, and as much as in them lies, cancelling all the Liberties and Privileges of Parliament, than for theſe Men to break the Truſt repoſed in them by their Country, and to ſubmit themſelves to the Advice, and oblige themſelves to the Conſent of Agents of another Kingdom, who have caſt off their Allegiance, and united themſelves together againſt their Natural and Native King, and againſt the Laws of both Kingdoms; and have given an ample Teſtimony to all thoſe they have miſled, how far they are from ſubmitting or intending to be governed by Parliament, or by thoſe who would yet be thought the Two Houſes of Parliament, by joyning four *Scotchmen* (Agents for that Rebellious Army which hath invaded this Kingdom) in equal Power and Authority with Seven Lords and Fourteen Commons, by whoſe ſole and uncontrolled Managery and Conſent, all buſineſs of Peace and War, which do or may concern this languiſhing Kingdom, muſt be governed. 19 *Caroli.*

And yet theſe Men take it very hainouſly, that His Majeſty ſhould move them in order to Peace, to agree, That all the Members of both Houſes may ſecurely meet in a full and free Convention of Parliament; becauſe, they ſay, from thence no other *Concluſion can be made, but that this preſent Parliament is not a full nor free Convention, and that to make it ſuch the preſence of us is neceſſary:* We muſt appeal to all the World, whether in truth that Concluſion be not very apparent from the truth of their Proceedings? and even to the Conſcience of theſe Men themſelves, whether whilſt we were amongſt them, we enjoyed that Liberty and Freedom which was due to us? And whether (if there were no danger or breach of Duty in being willingly and conſtantly preſent where Actions of Treaſon are plotted and concluded) we could now be with them without engaging our ſelves in that *Covenant*, which as it takes away all Freedom and Liberty of Counſel, ſo cannot be taken without the Violation of our Duty and Allegiance: For the deſerting the great Truſt repoſed in us, we cannot with the leaſt colour be accuſed, we wiſh it had not been, or were not now broken on their parts; on ours we are ſure it is not, except obſervation of our Oaths lawfully taken and enjoyned, and ſubmiſſion to the known eſtabliſhed Laws of the Land, (the preſervation of which is our greateſt Truſt,) be to deſert the Truſt repoſed in us; what they have done, who have broken through all theſe, and will not at laſt conſent to the binding up the Wounds they have made, we muſt leave to the World to Judge.

In the mean time, ſince it is apparent that their utmoſt endeavours are to make Peace impoſſible, and (having enriched themſelves by theſe publick Calamities, and impoveriſhed their Country by the Tranſportation of the Wealth thereof into Foreign Parts) that they have left themſelves no other means to repay thoſe vaſt Sums they have extorted from the People, upon that they call *Publick Faith*, but out of the Eſtates of thoſe who have preſerved their Duty and Loyalty entire; and that at the price of their Religion and Laws they intend to eſtabliſh a Government and Empire to themſelves. All good Men who deſire Peace will joyn with us in the ſuppreſſing theſe Enemies of Peace, and by a reſolute and unanimous Declaration of themſelves riſe as one Man in the aſſiſtance of His Majeſty, with their Perſons and their Fortunes, which is the only means, with God's

An. 164$\frac{3}{4}$. Bleſſing, to reſtore and preſerve the Religion, Laws, and Liberties of the Kingdom, and the very Being of Parliaments; the which if theſe Men have any Mind to do, it being not ſo eaſily to be done any other way, they will at laſt be willing, that all the Members of both Houſes may meet in a *full and free Convention* of Parliament, which we have always deſired, and ſhall be always ready to do.

Charles R.

OUR expreſs Pleaſure is, That this Declaration of the Lords and Commons of Parliament aſſembled at Oxford, *be read by the Parſon, Vicar, or Curate in every Church and Chappel, within Our Kingdom of* England *and Dominion of* Wales.

March 9. 1643.

To

20 *Caroli.*

To the King's Most Excellent Majesty.

The Humble Petition of the Lords and Commons of Parliament assembled at *Oxford*, according to Your Majesty's Proclamation.

The Petition of the Lords and Commons at *Oxford*, the day before their Recess, *April* 15. 1644.

WE must humbly acknowledge your Princely Goodness in calling us to receive our Advices, for Preservation of the Religion, Laws and Safety of the Kingdom, and to restore it to its former Peace and Security: How earnestly we have sought a Peace with your Majesty's most Gracious Concurrence, doth appear by the Printed Declaration of our Proceedings touching a Treaty for Peace; wherein we aimed at a free and full Convention of Parliament, *as the most hopeful way to Unite these Unhappy Divisions; and since that hath been refused, we have applied our Advices for supporting your Armies, the visible means now left, for maintaining our Religion restoring the Laws, and procuring the Safety of the Kingdom; being assured from your Majesty, you do and will employ your Armies to no other end.*

And although our selves are most fully satisfied of your Majesty's Pious and just Resolutions herein; yet because Fears and Jealousies have been maliciously scattered among your Subjects, to Poison their Affections and Corrupt their Loyalty to your Majesty: Therefore, to the end we may be enabled by your Gracious Answer to satisfie all the World, or to leave them inexcusable, who will not be satisfied, We do, in all Humility, present to your Majesty these Petitions.

That your Majesty will give Direction for the Re-printing your Protestation, made in the Head of your Army, † *and your other* Declarations; *wherein your constant Resolution is declared to maintain and defend the True, Reformed, Protestant Religion, and that the same may be with more diligence published among the People; that so your Princely, Christian Zeal and Affection to that Religion, and to maintain the same against all Popery, Schism, and Prophaneness may be manifested, and which we beseech your Majesty, upon this our Petition, to declare again to all the World, to the Discountenance and Suppression of those Scandals laid upon your Majesty, by those who disturb our Peace.*

† The Protestation made at *Wellington*, See it before in 1642.

That when there may be a full and free Convention of Parliament, a National Synod *may be lawfully called to Advise of some fit means for the establishing the Government and Peace of our Church, to whom may be recommended a Care for the* Ease of the Tender Consciences *of your Protestant Subjects.*

Touching our Laws, *we cannot ask more of your Majesty, than to declare and continue your former Resolutions to hold and keep them inviolable and unalterable, but by Act of Parliament.*

And for avoiding the Scandal maliciously infused into many of your Subjects, that if your Majesty prevail against this Rebellion, you intend not to use the frequent Council of Parliaments, We humbly Pray and Advise your Majesty to declare the sincerity of your Royal Heart therein,

An. 164½. *therein, to ſatisfie your ſeduced Subjects againſt ſuch Falſe and Malicious Aſperſions.*

And in reſpect the preſent Contributions, Loans, Taxes, and other Impoſitions for maintenance of your Armies, have been ſubmitted unto as exigencies of War and Neceſſity, becauſe of this unexampled Rebellion and Invaſion; We humbly beſeech your Majeſty to declare, that they ſhall not be drawn into Example, nor continue longer than the preſent Exigence and Neceſſity, nor be at any time mentioned as Precedents: And that for the farther Security of your People, your Majeſty will vouchſafe to promiſe your Royal Aſſent to a Law to be made and declared to that purpoſe, in a full and free Convention of Parliament.

And that for the preſent Eaſe and Encouragement of thoſe under Contributions by Contract with your Majeſty, you will be pleaſed, that thoſe Contracts may be ſo obſerved, that your Subjects may not have juſt cauſe of complaint againſt the Commanders, Governours, Officers, or Soldiers of your Army; or of, or in your Garriſons, Caſtles, or Forts, for taking any Money, Horſes, or other Cattle, Proviſions, or other Goods, or any Timber or Woods of any your Subjects; or Free-Billet, or Free-Quarter in any Place, where the Contributions and Taxes agreed on are paid; humbly beſeeching your Majeſty's Gracious Care herein, and that the Offenders may receive exemplary Puniſhment.

Laſtly, That your Majeſty will retain your Pious Endeavours to procure the Peace of this Languiſhing Kingdom, not to be removed or altered by any Advantages or proſperous Succeſs.

His

20 *Caroli.*

His Majeſty's Gracious Anſwer to the aforeſaid Petition.

AS we ſhall always acknowledge the great Comforts and Aſſiſtance we have received by your Counſels, ſince your Meeting here according to our Proclamation; ſo we muſt give you very particular Thanks for the Expreſſions you have made in this Petition of your Confidence in us, and for the Care you have therein taken, that all our Good Subjects may receive ample Satisfaction in thoſe things upon which the Good and Welfare of their Condition ſo much depends.

We have long obſerved (though not without Wonder) the ſly, ſubtile and groundleſs Inſinuation, infuſed and diſperſed amongſt our People by the Diſturbers of the Publick Peace, of our Favouring and Countenancing of Popery; and therefore, as in our conſtant viſible Practice we have, to the utmouſt of our Power (and we hope ſufficiently) manifeſted the groſs Falſhood of thoſe Imputations and Scandals; ſo we have omitted no opportunity of publiſhing to all the World the clear Intentions and Reſolutions of our Soul in that point. We wiſh from our Heart, that the True, Reformed, Proteſtant Religion may not receive greater Blemiſh by the Actions and Practice of theſe Men, than it doth, or ſhall by any Connivance of ours: We will take the beſt care we can (and we deſire your Aſſiſtance in it) to publiſh to all our Good Subjects, that our Proteſtation, and thoſe Declarations you mention; and we do aſſure you, there is not an Expreſſion in either of them, for the maintenance and advancement of our Religion, with which our Heart doth not fully concur, and in which we ſhall be ſo conſtant, that if it ſhall not pleaſe God to enable us by force to defend it, we ſhall ſhew our Affection and Love to it, by Dying for it. We may without Vanity ſay it hath pleaſed God to enlighten our Underſtanding to diſcern the clear Truth of the Proteſtant Religion, in which we have been born and bred, from the Miſts and Clouds of Popery, the which (if it hath made any Growth or Progreſs of late within the Kingdom, as we hope it hath not) is more beholding to the Unchriſtian Rage and Fury of theſe Men, than to any Connivance or Favour of ours.

For a National Synod, We have often promiſed it, and when God ſhall give ſo much Peace and Quiet to this Kingdom, that Regular and Lawful Conventions may be eſteemed, ſhall gladly perform that Promiſe, as the beſt Means to re-eſtabliſh our Religion, and make up thoſe Breaches which are made; and we ſhall then willingly recommend unto them a ſpecial care of the Eaſe of the Tender Conſciences of our Proteſtant Subjects, as we have often expreſſed.

For the Laws of the Land, We can ſay no more than we have ſaid in that Proteſtation you mention; and we thank you for being ſatisfied with it; in which God knows our Reſolution to be ſo Firm and Stedfaſt, that we will give any Security under Heaven for the obſervation of it. And as our greateſt Deſire at this preſent is to Meet in a full and free Convention of Parliament, which we are confident would quickly put an end to all theſe Troubles; ſo when it ſhall pleaſe God to reſtore that Bleſſing to us, we ſhall value and eſteem that Council, and frequently Conſult with it, and be adviſed by it, as the beſt Means to make both King and People truly Happy; and we ſhall then by an Act given, wipe

out

An. 164¾. *out the Footſteps of thoſe Extraordinary Supplies, which nothing but this real, viſible Neceſſity, which Oppreſſes us all, could have compelled us to make uſe of, and which ſhall never be mentioned or remembred by us, to the leaſt Prejudice of your Rights and Liberties: And in the mean time we ſhall leave nothing undone, for the obſervation of particular Contracts, and prevention of the Diſorder and Licenſe of the Soldier, which is in our Power to do, no particular Perſon enduring half that Sadneſs of Heart for thoſe Breaches and Preſſures, which we our ſelf do; for the Prevention and Suppreſſion whereof, we ſhall proceed with all Rigour and Severity.*

Laſtly, As the Support and Maintenance of the Religion, Laws, and Privileges of Parliament, is (as you well know) the only Argument of our defenſive Arms; ſo thoſe being ſecured, we ſhall with all imaginable Joy lay down thoſe Arms; and as you have been our Witneſſes and our Aſſiſtants in our earneſt deſires of Peace; ſo we promiſe you, we ſhall not only with the ſame earneſtneſs always embrace it, if it ſhall be offered, but purſue and preſs it, upon the leaſt likelihood or opportunity; and this our Reſolution by God's Bleſſing ſhall never be altered by any Advantages or proſperous Succeſs.

His

20 *Caroli.*

His Majesty's Speech to the Lords and Commons of Parliament Assembled at *Oxford*, delivered at their Recess, *April* 16. 1644.

My Lords and Gentlemen,

King's Speech, at the Recess, *April* 16.

I Am now brought to you by your selves; for I should not so soon have parted with you, if you had not desired it; and I believe that the same Zeal and Affection to Me and your Country, which hath brought and staid you here, hath caused you to seek this Recess, that so by distributing your selves into your several Countries, we may all the better reap the Fruits of our Consultations; wherefore, in God's Name, dispose of your selves, as you think fit. I heartily thank you for what you have done, and fully approve of what you desire.

I think most (if not all) of you are engaged in my Service, either in a Civil, or a Martial way: To you, that have Charge in my Armies, I recommend the diligent Attendance on your Commands; that so by your good Example and Discipline, you may suppress that License and Disorder which will Discredit and may Destroy the best Cause.

And to you, who are engaged in the Civil Affairs, I must recommend these few Particulars; That you expedite those Supplies of Moneys, which by your Advice I have sent for, whether by Subscription, or Excise, remembring that Moneys are the Nerves of War.

Likewise, That you use your best Diligence for the Impressing of Men, and encouragement of Volunteers; by shewing them, that now the only way to preserve themselves from Slavery, and their Country from Ruine, is freely to Engage their Persons.

But chiefly, and with all possible care, to inform all my Subjects of the Barbarity and Odiousness of this Rebellion; how sollicitous I have been for Peace, and how insolently and scornfully it has been rejected; assuring them, that my Armies are raised and kept only for the defence of their Religion, Laws, and Liberties, which being once secured and vindicated, I shall most cheerfully lay them down, I having (God knows) with much unwillingness taken them up.

Lastly, assure them, that these extraordinary Ways, which necessity hath produced (and most of them not without your Consent or Advice) for my Supply, shall not hereafter be brought in Example to their Prejudice; and I shall, in the mean time, do my best to prevent and punish all Exorbitances and Disorders.

To conclude, My Lords and Gentlemen, I do now again (yet never enough) thank you for your great and unanimous Expressions of your Affections

An. 164¼. *Affections to Me, which hath laid an inexpreſſible Obligation upon Me: And be aſſured, that there is no Profeſſion, which I have made for the Defence and Maintenance of our Religion, Laws, and Liberties, which I will not inviolably obſerve.*

Now God, who hath Bleſſed this Meeting with an unexpected Unanimity, (which I eſteem as one, not of his leaſt, Bleſſings,) will, I hope, bring us all ſafe together again the Eigth Day of October *next. In the mean time I ſhall be ready to receive any thing from your Committees, that ſhall be deſired.*

CHAP.

20 *Caroli.*

CHAP. XVI.

The Beginning of the year 1644. *and the whole Proceedings in the North; as the* Scots *Actions from their entrance into* England, Jan. 19. 164$\frac{3}{4}$. *The Siege of* York, *Battle of* Marſton-Moor, *until the taking of* Newcaſtle, Octob. 19. 1644.

WE are now come to the year 1644. and 20th. of King *Charles's* Reign: Wherein, that I may obſerve as much *Method* as ſo *perplex'd a Scene* of *Civil War* (the Parent of *Confuſion*) will admit, I ſhall

The method deſigned in ſtating the Occurrences of this year.

1. Trace the Advance of the *Scots* Army, from their entrance into *England*, unto their ſitting down before *York*; the particulars of that *Siege*, by the united Armies of the *Scots*, the Lord *Fairfax*'s, and that under the Earl of *Mancheſter*: Prince *Rupert*'s Advance to *relieve* it; and the Battle of *Marſton-Moor* which enſued thereupon.

2. Set down the March of the Earl of *Eſſex* with his Army, and their defeat in *Cornwal*. The *recruiting* of that Army and the ſecond *Battle* at *Newbury*.

3. Recount, in *Order of time*, the ſeveral other remarkable *Skirmiſhes*, *Sieges*, and *Military Occurrences*, as they happened in various parts of the Kingdom.

4. Recite ſuch *Royal Proclamations* and *Declarations* of the King, and the Two Houſes, and other Civil Tranſactions as belong to this year.

5. The moſt material Paſſages in *Ireland*, and relating thereunto, during this year.

6. Give an Account of the whole Proceedings of the Treaty at *Uxbridge*, which happened towards the cloſe of this year, 1644.

An Account of the Marches of the *Scots* Army, after their entring into *England*.

The *Scots* Army that entred *England* conſiſted of about Eighteen Thouſand Foot, Three Thouſand Horſe, and between Five and Six Hundred Dragoons. The Officers Names, and Places whence raiſed, appear by the following Liſt.

A Liſt of the ſeveral Regiments and Chief Officers of the Scottiſh Army.

His Excellency the Earl of *Leven*, General.
Lieutenant-General of the Foot, *John Bayly*.
Major-General of the Horſe, *David Leſly*.
General of the Artillery, Sir *Alexander Hamilton*.

Treaſurer and Commiſſary-General, Sir *Adam Hepburne*, Lord of *Humbee*.
Quarter-maſter-General, *Lodowicke Leſly*.

Places where Levied.	*Regim.*	*Colonels.*		*Lieutenant-Colonels.*		*Majors.*		*Companies.*	
Kyle *and* Carricke.	1	*Earl of* Caſſils	Col.	John Kennedy	L. Col.	*Houſton*, Serjeant-Major.		Comp.	10
Galloway.	2	*William Steuart*	Col.	Gordon	L. Col.	*Agnew*	S.M.	Comp.	10
Fyfe.	3	*Earl of* Lindſay.	Col.	*Thomas Moffet*	L. Col.	*Mungo Murray*	S. M.	Comp.	10
Eaſt-Louthian.	4	*Sir* Patrick Hepburne	Col.	*William Home*	L. Col.	*Robert Hepburne*	M.	Comp.	10
Stratherne.	5	*Lord* Cowper	Col.	*John Browne*	L. Col.	*Browne*	M.	Comp.	10
Loudon-Glaſgow.	6	*Earl of* Loudon	Col.	*Robert Home*	L. Col.	*John Haddon*	M.	Comp.	10
Middle-Louthian.	7	*Lord* Maitland	Col.	*Colm Piſcotty*	L. Col.	*John Hay*	M.	Comp.	10
The Merſ.	8	*Sir* David Home	Col.	*George Home*	L. Col.	*Lumbſdale*	M.	Comp.	10
Sterlingſhire.	9	*Lord* Levingſton	Col.	*Bruce*	L. Col.	*Ja. Levingſton*	M.	Comp.	10
Tweddale.	10	*Earl of* Bunleugh	Col.	*William Scot*	L. Col.	*Th. Moffet*	M.	Comp.	10
Edinburgh.	11	James Rae	Col.	*Andrew Melve*	L. Col.	*David Logan*	M.	Comp.	10
Fyfe.	12	*Earl of* Dumfernlyn.	Col.	*Robert Halſel*	L. Col.	*David Fynne*	M.	Comp.	10
Clidſdale.	13	Gen. *of the* Artillery	Col.	*William Carmichell*	L. Col.	*Lindſay*	M.	Comp.	10
Perthſhire.	14	*Lord* Gask	Col.	*Lachlane Roſſe*	L. Col.	*Campbel.*	M.	Comp.	10
Tiviotdale.	15	*Earl of* Lothian	Col.	*Patrick Leſly*	L. Col.	Sir *George Douglas*	M.	Comp.	10

Niddeſdale, Anandale.	16	Douglas *of* Kelhead	Col.	*John Hog*	L. Col.	*Macbray*	M.	Comp.	10
Angus.	17	*Lord* Dudhope	Col.	*Bonar*	L. Col.			Comp.	10
Lithgow *and* Twedale.	18	Maſter *of* Yeſter	Col.	*Johnſton*	L. Col.	William Hamilton	M.	Comp.	10
The Mernes & Aberdeen.	19	Earl Marſhal	Col.	*Wood*	L. Col.			Comp.	3
The Miniſters *Regiment.*	20	Arthur Erskin	Col.	*Ja. Briſon*	L. Col.	*John Leſly*	M.	Comp.	5
A Levyed *Regiment.*	21	*Lord* Sinclar.	Col.	*James Somervile.*	L. Col.				

Beſides ſeven Companies of the Earl-Marſhal's upon the March, and four Companies remaining in *Berwick.*

Regiments of Horſe of about Sixty in a Troop.

His Excel. the Earl of Leven,	Col.	*James Ballantine,*	Lieut. Col.	Sir *Robert Adair,*	Serjeant-Major.	Troops	8
Major-General, David Leſly,	Col.	Sir *John Browne,*	L. Col.	Thomas Craig,	M.	Troops	8
Earl of Eglinton,	Col.	*Hugh Montgomery,*	L. Col.	*Montgomery,*	M.	Troops	8
Lord Kirkudbright,	Col.	James Mercer,	L. Col.	Alexander Cruke,	M.	Troops	7
Earl of Dalhouſy,	Col.	*Innis,*	L. Col.	*Blair,*	M.	Troops	6
Lord Balcarras	Col.	Strachan,	L. Col.	*Alexander Home,*	M.	Troops	6
Michael Welden	Col.	*Alexander Home,*	L. Col.			Troops	7
Lord Gordon	Col.					Troop	1
Marqueſs of Argyle.						Troop	1

Dragooners. Colonel *Freiſer.* Lieutenant-Colonel *Crawford.* Serjeant-Major *Monroe.*

All thoſe Men, whoſe Names are of an *Italick* Letter, had ſerved beyond-Sea before.

An. $16\frac{4}{4}$.

GEneral *Leven*, when he was on his March towards *Berwick*, enquired if the Committee appointed to go along with the Army into *England*, were ready to March with him, ſaying, he would not paſs the *Bound-Rod* (which is the limit of *Engliſh* ground beyond *Berwick*) until they came; for though he had Power ſufficient as General, yet it was a ſtrengthening of his Power, and of great Advantage to have the Preſence and Advice of a Committee, repreſenting the Kingdom that employed him, and to whom he was a Servant.

Upon the 13th of *January*, $16\frac{4}{4}$. the ſaid Committee came to *Berwick*, and then the General prepared to March with all Expedition.

And on the 18th ſeveral Regiments marched from *Dunbar* through the Snow, when it was almoſt Knee-deep.

Scots firſt advance from *Berwick* into *England*, *Jan.* 19. $16\frac{4}{4}$.

Upon *Friday*, the 19th of *January*, there marched over from *Berwick* three Regiments of Foot and thirteen Troops of Horſe. And the next Day the Committee of both Kingdoms ſent a Trumpeter to Sir *Thomas Glemham*, Colonel *Gray*, and the reſt of the Officers and Gentlemen of *Northumberland* at *Alnwick*, with this Letter.

A Letter from the Committee of both Kingdoms, marching with the *Scots*, to Sir *Thomas Glemham*, and the reſt of the Commanders and Gentry of the County of *Northumberland*, *January* 20.

Gentlemen,

A Letter, &c.

ALthough we juſtly preſume, That the Solemn mutual Covenant, entred into by both Kingdoms, hath long ſince come to your Hands; and likewiſe, that you have had notice of the raiſing of the Army, deſired by the Parliament of England, *for the proſecution of thoſe Ends therein expreſſed,* viz. *The Preſervation and Reformation of Religion, the true Honour and Happineſs of the King, and the publick Peace and Liberty of His Dominions: Yet that it may appear, both to you and all the World, how unwilling we are to make a forcible uſe of theſe Arms, which we have been conſtrained by the diſappointment of all other means of Safety, to take up, We the Commiſſioners and Committees of both Kingdoms have thought fit, beſides that Declaration (a Copy whereof we herewith ſend) lately emitted in the Name of the Kingdom of* Scotland, *for the ſatisfaction of the People, concerning the entrance of this their Army, to take more particular notice of you the Chief Gentlemen and Commanders; hoping likewiſe, that things of ſo great and conſiderable Conſequence will find with you ſuch entertainment as may anſwer the Weight and Importance of them. We will not ſo much wrong the Cauſe we have undertaken, as to go about, after ſo many evident demonſtrations of the neceſſity of our preſent poſture, to diſpute it with you: But rather, inſtead of Arguments, we think it reaſonable to acquaint you with our well-weighed Reſolutions; which are, through the Aſſiſtance of that God, in whoſe Cauſe we are ingaged, and whoſe Strength we truſt in, with our utmoſt Induſtry and Hazard, to endeavour the prevention of that Imminent Danger, not only of Corruption, but of Ruine, which*

we

20 Caroli.

we see evidently intended to the true Protestant Religion, by the Popish and Prelatical Faction, who never wanted Will; but now think they want not Strength and Opportunity to accomplish it: As also the rescuing of His Majesty's Person and Honour, so deeply and unhappily entangled in the Counsels and Practices of Them, whose Actions speak their Ends to be little better than Popery and Tyranny: And the redeeming the Peace and Liberty of His Majesty's Dominions, in which the Irish *Rebellion, and the sad and unnatural Divisions in* England, *have made so great a Breach.*

To the accomplishment of these so Just and Honourable Designs, we have reason to expect the Concurrence of all Men, who either are, or pretend to be due Lovers of their Religion, King, and Country; and shall be very sorry to want yours: But if mis-information, or any other unhappy grounds, shall so far prevail with you, as to reckon us in the number of your Enemies, (which certainly we are not, if you be Friends to those Ends mentioned in our Covenant:) And if instead of that Concurrence with us, which we wish and hope to deserve, we find from you Opposition and Acts of Hostility, the Law of Nature and your own Reason will tell you what you are to expect. We only add, That though it will not a little trouble us to see Men withstanding, not only us, but their own Good and Happiness; yet it doth in good measure satisfie us, that we have not neglected this, or any other means, to the best of our power or understanding, to prevent those Inconveniencies and Mischiefs that may arise from those Acts of force, which we shall be necessitated unto.

Subscribed at Berwick, Jan. 20. 1644. *by the Warrant and in the Name of the Committees of both Kingdoms, by us your Friends,*

Argyle.
William Armyne.

Postscript.

One of these direct to Sir Tho. Glemham *and the rest of the Commanders with him at* Alnwick *or elsewhere.*

Sir *Thomas Glemham's* first Answer.

My Lord,

An Answer, &c.

I Have received by your Trumpeter a Letter from your Lordship and Sir William Armyne: *It is long and of great concernment. And the other directed to Colonel* Gray, *who for the reason before-mentioned, and for that here are none but Officers, he cannot return you an Answer so suddenly by your Trumpeter. But I will send presently to the Gentlemen of the County to come hither, and then you shall receive my Answer with the Officers and theirs by themselves, by a Trumpeter of my own.*

Your Servant

Tho. Glemham.

Alnwick,
Jan. 20. 1644.

Ac-

An. 164⅓.

A Conſult of the *Northumberland* Gentry.

Accordingly, on the 22d the Gentlemen of *Northumberland* met together at *Alnwick*; to whom Sir *Tho. Glemham* propounded theſe Three Queſtions.

1. *What ſhould be done with thoſe Places of the County, which were not yet in the poſſeſſion of the* Scots, *and which they were not able to protect?*

2. *What Anſwer ſhould be given to the Letter of the Two Committees?*

3. *Whether they ſhould Fight the* Scottiſh *Army?*

As to the Firſt, they were divided; the *Yorkſhire* Officers thought it moſt expedient, that the Country ſhould be burnt, waſted, and deſtroyed, to prevent its affording Harbour and Accommodations to the Enemy: But thoſe of *Northumberland* oppoſed this Reſolution, and would not yield that their Country ſhould be deſtroyed and laid deſolate.

To the Second likewiſe they were of different Judgments, ſome thinking it fitteſt to return a fair Civil Anſwer to the Letter. Others, that it could not be anſwered by them, but muſt firſt be ſent to the Marqueſs of *Newcaſtle*, as Commander in Chief; and there wanted not ſome that were of Opinion it ought to be communicated to His Majeſty, before any Anſwer ſhould be returned.

For the Third, they were unanimous, all agreeing, That they were not in a condition to give Battle to ſuch an Army; yet reſolved with thoſe 16 Troops of Horſe, and 2 Regiments of Foot, which they had then at *Alnwick*, and ſome 8 Drakes, and ſeveral Pieces of Ordnance, they would endeavour to defend the Bridge.

However, at laſt it was concluded, that a Letter ſhould be ſent in Anſwer to the Committees, which was drawn up in theſe Terms.

Sir *Thomas Glemham*'s farther Anſwer to the Letter from the Committees.

My Lord,

Sir *Thomas Glemham*'s farther Anſwer, &c.

I Have received yours, together with one to the Gentlemen of the County, and having communicated with them, we return you this Anſwer. That without the ſight of that Letter we could not have been induced, by any flying Reports, to believe, that the Scottiſh *Nation, or the prevailing Party for the preſent in that Nation, would have attempted an Invaſion of* England; *ſo contrary to the Laws of God, of Nations, of both Kingdoms, and eſpecially to the late Act of Pacification; ſo oppoſite to their Allegiance and Gratitude to His Majeſty, to that neighbourly Love which they pretend, to that diſcreet Care which they ſhould have of their own Safety: We could not otherwiſe have imagined, that they who by His Majeſty's Goodneſs enjoy a ſettlement of their Church and State, according to their own deſires, ſhould needleſly and ingrate-*

fully

20 Caroli.

fully embroil themſelves in a buſineſs that concerns them not, forfeit their Rights, diſoblige His Majeſty, and hazard the loſs of their preſent Happineſs.

No Order of any Committee or Committees whatſoever, of Men or Angels, can give them power to March into the Bowels of another Kingdom, to make offenſive War againſt their Natural Sovereign, upon the empty pretence of Evil Counſellors, who could never yet be named. And as for the Engliſh *Agents, we cannot believe them to be any Commiſſioners lawfully authorized, either by the Parliament, or by the Two Houſes, or yet by the Houſe of Commons, whence ſo many of the Members are expelled by partial Votes, ſo many baniſh'd by Seditious Tumults, ſo many voluntarily abſent themſelves out of Conſcience; where deſperation, or want of opportunity to depart, or fear of certain Plunder, are the chiefeſt Bonds which hold the little Remnant together from Diſſipation; where the venerable name of* **Parliament** *is made a Stale to countenance the pernicious Counſels and Acts of a cloſe Committee.*

For Subjects to make Foreign Confederacies without their Sovereigns Aſſent, to invade the Territories of their undoubted King, to go about by Force to change the Laws and Religion eſtabliſhed, is groſs Treaſon without all contradiction: And in this Caſe, it argues ſtrongly, who have been the Contrivers and Fomenters of all our Troubles. No Covenant whatſoever, or with whomſoever, can juſtifie ſuch Proceedings, or oblige a Subject to run ſuch diſloyal Courſes. If any Man out of Ignorance, Fear, or Credulity, have entred into ſuch a Covenant it binds him not, except it be to Repentance: Neither is there any ſuch neceſſity as is pretended of your preſent poſture; your ſelves cannot alledge, that you are any way provoked by us; neither are we conſcious to our ſelves of the leaſt intention to moleſt you.

Thoſe ends, which you propoſe, are plauſible indeed to them who do not underſtand them; the blackeſt Deſigns did never want the ſame Pretences; if by the Proteſtant Religion, *you intend our* Articles, *which are the Publick Confeſſion of our Church, and our Book of* Common-Prayer *eſtabliſhed by Act of Parliament, you need not trouble your ſelves, we are ready to defend them with our Blood; if it be otherwiſe, it is plain to all the World, that it is not the* Preſervation, *but the* Innovation *of Religion which you ſeek, however by you ſtiled* Reformation. *And what Calling have you to Reform us by the Sword? We do not remember that ever the like Indignity was offered by one Nation to another, by a leſſer to a greater. That thoſe Men who have heretofore pleaded ſo vehemently for Liberty of Conſcience againſt all Oaths and Subſcriptions, ſhould now aſſume a Power to themſelves, by Arms, to impoſe a Law upon the Conſciences of their Fellow-Subjects. A vanquiſh'd Nation would ſcarce endure ſuch Terms from their Conquerors. But this we are ſure of, that this is the way to make the Proteſtant Religion odious to all Monarchs, Chriſtian and Pagan.*

Your other Two Ends, that is, the Honour and Happineſs of the King, and the Publick Peace and Liberty of His Dominions, are ſo manifeſtly contrary to your practiſe, that we need no other Motives to withdraw you from ſuch a Courſe, as tends ſo directly to make His Majeſty contemptible at Home and Abroad, and to fill all His Dominions with Rapine and Blood.

In an Army all have not the ſame Intentions; we have ſeen the Articles agreed upon, and thoſe vaſt Sums and Conditions contained in them; as if our Countrymen thought that England *was indeed a Well, that could never be drawn dry; and whatſoever the Intentions be, we know*

An. 164¾. *know right well what will be the Conſequence: Thô, if it were otherwiſe no Intention or Conſequent whatſoever can juſtifie an unlawful Action. And therefore you do wiſely to decline all diſputation about it; it is an eaſie thing to pretend the Cauſe of God, as the* Jews *did the Temple of the Lord; but this is far from thoſe evident Demonſtrations, which you often mention, never make.*

Conſider, that there muſt be an Account given to God of all the Blood which ſhall be ſhed in this Quarrel. The way to prevent it, is not by ſuch Inſinuations, but to retire before the Sword be unſheathed, or the Breach be made too wide. You cannot think that we are grown ſuch tame Creatures to deſert our Religion, our Laws, our Liberties, our Eſtates, upon Command of Foreigners, and to ſuffer our ſelves and our Poſterity to be made Beggars and Slaves without oppoſition. If any of ours ſhall join with you in this Action, we cannot look upon them otherwiſe than as Traitors to their King, Vipers to their Native Country, and ſuch as have been Plotters or Fomenters of this Deſign from the beginning. But if miſ-information or fear hath drawn any of yours ignorantly or unwillingly into this Cauſe, we deſire them to withdraw themſelves at laſt, and not to make themſelves Acceſſaries to that Deluge of Miſchief, which this Second Voyage is like to bring upon both Kingdoms.

A DE-

20 *Caroli.*

A

DECLARATION.

A Declaration publiſht by the Committees of both Kingdoms, touching the Billeting the Souldiers, upon the firſt Advance of the *Scots* into *England*.

"WHereas the Two Houſes of the Parliament of *England*, Conſidering the great and apparent Danger of Religion and Liberty, in regard of the great Forces of Papiſts, and others employed for the deſtruction thereof; have by their Commiſſioners deſired the Aſſiſtance of the Kingdom of *Scotland*, to joyn with them in the Juſt and Honourable Endeavours of Preſerving and Reforming Religion, procuring the Honour and Happineſs of the King (now Engaged in Councils prejudicial to himſelf and his Kingdoms) and of ſettling and maintaining the Peace and Liberty of his Dominions. And whereas the Kingdom of *Scotland* have readily yielded thereunto, and raiſed an Army for the Ends above expreſſed, which is to be Ordered by the Committees and Commiſſioners of both Kingdoms. We the ſaid Commiſſioners and Committees being deſirous to take the moſt Orderly and reaſonaſonable Way for the Proviſion of the ſaid Army, have thought fit by this ſhort Declaration to acquaint you with what is expected from you the Inhabitants of thoſe Parts, through which this Army ſhall paſs, that ſo you may not be Oppreſſed with *Arbitrary Taxes* and *Unreaſonable Spoils*, which you have ſuffered from thoſe who have lived amongſt you and upon you.

"This is a Cauſe and Time wherein the Endeavours of every one who loves his Religion, King or Countrey, ought to be expreſſed to the utmoſt. And that which is required at your hands, is to provide and furniſh to your beſt ability, thoſe Souldiers that ſhall be Quartered with you, with ſuch Proviſions as ſhall be Neceſſary, not exceeding the Allowances and Rates mentioned in a Schedule hereafter written, hereunto annexed. And for the better keeping of Accounts of what is delivered by you to the Officers and Soldiers, according to the Rates of the ſaid Schedule, We deſire that two ſufficient Men, in every Town, Hamblet or Pariſh, the one for the Horſe, and the other for the Foot, may exactly take and keep Notes of the Billetings, and of what ſhall be delivered to every particular Horſe-man and Foot-man, that ſo Allowance and Satisfaction may be made to every Inhabitant accordingly, which we will take Care ſhall be ſpeedily done, either out of the Eſtates of Papiſts, and other Delinquents againſt the Parliament, or otherwiſe as we ſhall be enabled thereunto. Nor have you any Reaſon to diſtruſt us in this behalf, if you call to mind the equal Proceedings you have heretofore found from the *Scotiſh* Army, at their former Entrance: And in ſo doing, you ſhall beſides the Service which you do to the Publick, Free your ſelves from any Irregular Carriages of the Souldiers, and be the better enabled to require a juſt ſatisfaction for any Injury done againſt you, or beyond this Order, of which we hereby Aſſure you.

An. 1644.

A SCHEDULE of Allowance to be made to Officers and Souldiers, Horſe and Foot, in the *Scotiſh* Army, for their Entertainment in their March, or as they ſhall be Quartered in *England*, not exceeding theſe Proportions and Rates hereunder mentioned.

	l.	*s.*	*d.*
To a *Major of Horſe daily*	00	06	00
To a *Root-maſter, or Captain of Horſe, daily*	00	06	00
To a *Lieutenant of Horſe daily*	00	04	00
To a *Cornet*	00	02	06
To each *Corporal, Quarter-maſter, and Trumpeter*	00	01	06
To every *Trooper for his own Dyet daily*	00	01	00
For every *Horſe-Officer, or Trooper, for his Horſe, of Straw 5 ſheaves, or a Stone of Hay*	00	00	04
And of Oats, the Meaſure of three Gallons, Engliſh, *at*	00	00	06

If the Country People have no Oats, they may have them at the Magazine at *Berwick*, and ſhall have Allowance for fetching them.

To a *Lieutenant-Collonel of Foot, daily*	00	05	00
The *Major of Foot, daily*	00	04	00
The *Captain*	00	03	00
The *Lieutenant*	00	02	00
The *Enſign*	00	01	06
The *Quarter-maſter and Serjeant, each*	00	01	00
The *Corporal and Drummers, each*	00	00	08
The *Common Souldiers daily a-piece*	00	00	06

To the *Carriage-man the like Entertainment as to the Common Foot-Souldier; and for the Carriage-Horſe 3 penny-worth of Straw or Hay, and 2 penny-worth of Oats.*

The *Dragooner is to have for himſelf* 8 d. *a day, and for his Horſe three peny-worth of Straw or Hay, and a groats-worth of Oats.*

The Officers of Dragoons are to have Entertainment at Diſcretion, not exceeding the Rates following.

The Lieutenant-Collonel daily	00	06	00
The Major daily	00	05	00
The Captain daily	00	04	00
The Lieutenant daily	00	03	00
The Enſign daily	00	02	06
The Serjeant daily	00	01	04
The Corporal and Drummers, each	00	00	10

On the 23d. of *January* Lieutenant General *Baily* marched from *Kelſo* to *Woller*, with ſix Regiments of Foot, and a Regiment of Horſe, and on the 24*th.* the General ſtaid at *Addarſton*, 'till the Artillery ſhould come up, and the 24*th.* was at *Alnwick*; on the 25*th.* they had a difficult March in reſpect of the Thaw, which ſo ſwell'd the Waters, that often-times the Foot were up to their middles, and ſome-

ſometimes higher: Sir *Tho. Glemham* deſign'd to have Cut down *Feltam-Bridge*, but receiving an Alarm from the *Scotch* Horſe, was obliged to retreat to *Morpeth*, where he ſtaid not long, but March-ed to *New-Caſtle*. 20 *Caroli.*

After the *Scots* had paſſed *Alnwick*, the Marqueſs of *Argyle* march-ed to *Cocquet-Iſland*, which was yielded at the firſt ſhot. General *Leven* ſtaid five dayes at *Morpeth*, and then advanced towards *New-Caſtle*, and came before that Town on *Saturday* the 3*d.* of *February*, (into which the day before was come the Marqueſs of *New-Caſtle.*) The Forces being drawn up, the following Letter was ſent.

To the Right Worſhipful the Maior, Aldermen, and Common-Council, and other the Inhabitants of the Town of New-Caſtle.

Right Worſhipful and Loving Friends!

The Committees of both Kingdoms Letter to the Town of *New-Caſtle*, Feb. 3.

"OUr Appearance here in this Poſture through Miſ-informations and Miſ-"underſtandings, may occaſion ſtrange thoughts in you. If we had op-"portunity of ſpeaking together (which hereby we offer and deſire) it is not "impoſſible, that as we held forth the ſame Ends, *viz.* The Preſervation of "Religion, the King's true Honour and Happineſs, the publick Peace and Li-"berty of his Dominions, ſo we might agree upon the ſame way to pro-"mote them: If you yield to this Motion, you ſhall find us ready to do Our "parts therein; but if worſe Counſel take place with you, and all Parley be "rejected, altho' thereby you will be unjuſt to your ſelves, yet we have rea-"ſon to expect ye ſhould be ſo juſt to Us, as to acquit us of the Guilt of "thoſe manifold Inconveniencies and Calamities that may be the fruit of thoſe "forcible wayes you will thereby Conſtrain us to. We deſire your preſent "Anſwer. — Subſcribed the 3*d.* of *February*, 164$\frac{3}{4}$. by the Warrant, and in "the Name of the Committees and Commiſſioners of both Kingdoms, by "Us

Your Friends,

Argyle,
Will. Armyne.

The ANSWER.

My LORD,

The Towns Anſwer.

"WE have received a Letter of ſuch a Nature from you, that we can-"not give you any Anſwer to it more than this, that his Majeſties Ge-"neral being at this Inſtant in the Town, we conceive all the Power of Go-"vernment to be in him. And were he not here, you cannot ſure conceive Us "ſo ill read in theſe Proceeding of yours, as to Treat with you for your ſa-"tisfaction in theſe particulars you write of, nor by any Treaty to Betray a "Truſt repoſed in Us, or forfeit Our Allegiance to his Majeſty, for whoſe Ho-"nour and Preſervation, together with the Religion and Laws of this King-"dom, we intend to hazard our Lives and Fortunes: And ſo we reſt,

Your Servants,

Cuthbert Carr,	*Francis Bowes,*	*John Marlay,* Maior.
Ralph Grey,	*Francis Anderſon,*	*Nicholas Cole,*
John Emerſon,	*Hen. Maddiſon,*	*Thomas Lyddel,*
H. Rowcaſtle,	*Ralph Cock,*	*Lionel Maddiſon,*
Charles Clark.	*Leonard Carr,*	*Alex. Daviſon,*
	Robert Shaftoe,	*Mark Milbank,*

Subſcribed by Us, the 3*d.* of *February*, 1643. in the Names of the Common-Council, and the reſt of the Inhabitants of the Town of *New-Caſtle.*

An. 1644.

Skirmiſhes near *New-Caſtle:*

In the mean time a ſmart Diſpute happen'd; the Town had raiſed a Fort at the Entrance into the *Shield-field*, to gain which the *Scots* ſent out two Parties, one to attacque the Fort on the Eaſt-ſide, the other on the Weſt, in which Service divers of them were cut off by the Cannon, and particularly *Patrick Engliſh*, the Earl of *Lindſay*'s Captain-Lieutenant ſlain: That Evening the Marqueſs for the better Guard of the Town, ſet the *Sand-gate*, a Street without the Walls, and the other Suburbs, on Fire, which continued burning all *Sunday* and *Munday*.

Early on *Monday*-morning, the 5*th.* of *February*, Sir *Marmaduke Langdale* and Collonel *Fenwick* with twenty five Troops of Horſe, and about four hundred Commanded Muſqueteers, fell upon two Regiments of the *Scots* Horſe, under the Command of the Lord *Balgoney*, the Generals Son, and the Lord *Kirkudbright*, Quartered at *Corbridge*, two Miles from *Hexham*: On the *Scots* ſide, *Ballentine*, Lieutenant Collonel to the Generals Regiment received them very handſomly, but the *Engliſh* Foot coming up, put the *Scots* to a diſorderly Retreat, and the *Engliſh* purſued them a while, but not far, being loth to Engage beyond their Foot. They had alſo ſent Collonel *Robert Brandling* with Ten Troops over the Water below *Corbridge*, to come upon the Rear of the *Scots*, but by this their Retreat it prov'd their Front; and *Brandling* no ſooner ſaw them, but he forwardly rode out before his Troops to exchange a Piſtol, and one Lieutenant *Elliot* on the *Scots* ſide rode out to meet him, and when they had diſcharged each at other, and were wheeling to draw their Swords, *Brandling*'s Horſe ſtumbled, and the Enemy was ſo near as to pull him off, and took him Priſoner, which ſo diſcouraged his Men, that they retreated, and gave the Enemy opportunity to kill ſome of them: The *Scots* loſt this day Captain *Forbs*, a Cornet, and divers Common Souldiers, and Major *Agnew* taken Priſoner.

Scots Army Marches from *New-Caſtle*, *Febr.* the 22*th.*

On *Tueſday* the 6*th.* the *Scots* great Guns that could not be carried by Land, arrived by Sea at *Blyth*'s *Nook*, and next day were brought up to their Army. Henceforwards the *Scots* continued their Quarters near *New-Caſtle*, but no great Action paſſed for divers dayes; at laſt they reſolved not to waſt their time before this Town, but to paſs the River of *Tyne*, leaving behind on the North-ſide of the Town ſix Regiments of Foot, and ſome Troops of Horſe, under the Command of Sir *James Lumſdail*, Major General; and accordingly on *Thurſday* the 22*th.* of *February*, the Groſs of their Army marched from their Quarters near *New-Caſtle*, to *Hadden on the Wall*, about four Miles up the River, and lay that Night in the Field: The next day they Quartered along the River-ſide from *Ovingham* to *Corbridge*, about two Miles from *Hexham*, where the Marqueſs of *New-Caſtle* had three Regiments of Horſe quartered, who this day faced the Enemy, but finding themſelves unable to oppoſe ſo great a Force, Marched that Night from thence, leaving Major *Agnes* (whom they took in the Skirmiſh before mentioned) behind them at Liberty, that he might be a means of preſerving Collonel *Fenwick*'s Houſe there from Violence, having been very Civilly treated by the Collonel during his Impriſonment: And ſo on the day following, *viz.* *February* 28. the *Scots* paſſed the River *Tyne* without any Oppoſition at three ſeveral Fords, *viz.* *Ovingham*, *Bydwell*, and *Altringham*, the Foot wading very deep, and that Night Quartered in Villages near the River. Being thus over *Tyne*, they Marched to the Water of *Darwen*, and with difficulty got their Foot by Files over a Tree-

The *Scots* paſs the River *Tyne*, *Febr.* the 28*th.*

bridge

bridge at *Ebcheſter*, half over Night, and the reſt next day, ſo that they all paſs'd that Night into the Field. On *Fryday* they came within a Mile of *Cheſter-on-the-ſtreet*. On *Saturday*, *March* the 2*d*. they paſs'd the River *Weare*, at the *New-Bridge* near *Lomley-Caſtle*, reſted all the *Sunday* at *Harrington*, and the adjacent Villages, and on *Munday* the 4*th*. of *March* entred *Sunderland*.

20 *Caroli*.

On *Wedneſday* the 6*th*. the Marqueſs of *New-Caſtle* being ſtrengthened with Forces from *Durham*, and the Acceſſion of twelve Troops of Horſe from *York-ſhire*, under the Command of Sir *Charles Lucas*, ſo that the whole amounted to near 14000 Horſe and Foot, was not wanting to attend upon the *Scots*; appearing within three Miles of *Sunderland*, which obliged the *Scots* to draw up their Army in Battalia, and lye all Night in the Field: The next day all the Forenoon was exceeding ſnowy, and about Noon the Marqueſs drew up near them again, upon *Bowden-Hills*; but the Nature of the ground was ſuch, by reaſon of great Ditches and Fences between the two Armies, that neither ſide could Charge the other without vaſt Diſadvantages, ſo that they ſtood facing one another 'till Night, without any Conſiderable Action: The next Morning there was ſome Skirmiſhing between ſmall Parties, but the Marqueſs finding the *Scots* would not come on to Engage him in that place, and not thinking it ſafe to fall upon them as they were then Poſted, reſolved to retire to *Durham*, with an Intention to ſtreighten the Enemies Quarters, who all this while were much Incommoded, and under great difficulties for Proviſion; for of five Barks that were ſent from *Scotland* to ſupply them, three were caſt away, and two driven into *Tyne* by Extremity of Weather, were ſeized by the Marqueſs's Forces, ſo that ſometimes their whole Army had neither Meat nor Drink, and never had above twenty four hours Proviſion before-hand: Therefore to enlarge their Quarters, on the 13*th*. leaving two Regiments to ſecure *Sunderland*, they drew towards *Durham*; but being not able to get Horſe-proviſions, and unwilling to remove further 'till *Sunderland* were better Fortified, returned and Quartered their Army on the North-ſide the River of *Weare* towards *New-Caſtle* at the *Shields*: And on the 15*th*. at Night Commanded out a Party to Aſſault the Fort upon the South-ſide of *Tyne*, over againſt *Tinmouth Caſtle*, Commanded by one Captain *Chapman* of *South ſhields*, who bravely beat them off, and kill'd divers of them. The 19*th*. of *March* the *Scots* kept a Solemn Faſt throughout their Army, and on the 20*th*. another Party was appointed to ſtorm the aforeſaid Fort, who with the loſs of Nine Men, and ſome more wounded, took the Fort, and in it found 5 Pieces of Ordnance, 7 Barrels of Powder, 70 Muſquets, but the Men, when they found they cou'd no longer maintain it, made their Eſcape to the Water-ſide, where Boats were ready to receive them; only the Lieutenant, and four or five more were taken Priſoners, and ſixteen kill'd upon the place. The ſame day Lieutenant-Collonel *Ballantine* underſtanding there was a Troop of the Marqueſs's Horſe Quartered at *Cheſter-on-the-ſtreet*, came with a Party into the Town a private way, and wholly ſurprized them, and took the Guards laſt, and brought away 40 Horſe with their Arms: But ſtill the *Scots* were in pain what to do with their own Horſe, for tho' their Foot were ſupply'd with Proviſions, their Horſe muſt ſtarve if they continued there; and if they went away without the Foot, the Marqueſs being ſo near with an Army, ſtrong in Horſe, it would be very hazardous if he ſhould fall upon them; and on the other ſide,

The Marqueſs of *New-Caſtle* reinforced, marches after the *Scots*.

Scots take the Fort at *South-ſhields*.

An. 1644.

ſide, if their Foot remov'd from thence with their Horſe, then they ſhould loſe the Advantage of their Supply by Sea, the Land not affording Proviſions, all being driven away before them by the Marqueſs and Inhabitants, who for the generality in thoſe Parts were for the King.

Whilſt they were in this *Dilemma*, the Marqueſs decides the Debate by drawing up his Army on the 23*d.* of *March*, from *Durham* and thereabouts, towards the Town of *Cheſter*, and on *Sunday* the 24*th.* drew up at a place call'd *Hilton*, on the North-ſide of the River *Weare*, two Miles and an half from *Sunderland*; and the *Scots* drew up on a Hill Eaſt from them, towards the Sea: The Armies faced one another all day, and towards Night the Cannon began to play, and Parties of Muſqueteers fell to it, to drive one another from their Hedges, and continued ſhooting 'till Eleven at Night, many being ſlain on each ſide: The Field-word given by the Marqueſs, was —— *Now or Never*; by the *Scots* —— *The Lord of Hoſts is with us.* On *Monday* they continued facing one another for ſome time, but many Hedges and Ditches between them: The Marqueſs ſeeing no poſſibility of Engaging, drew off towards his Quarters; then a Party of the *Scots* Horſe fell on his Rear, and kill'd and took about thirty; but Sir *Charles Lucas* with his Brigade of Horſe forc'd them to retreat.

The two Armies face each other.

And now the Marqueſs marching towards his Quarters at *Durham*, the *Scots* diſpoſed of themſelves to *Eaſington*, being the middle-way betwixt *Hartlepool* and *Durham*, where finding pretty good Quarter for their Horſe, they continued 'till the 8*th.* of *April*, and then marched to *Quarendon-Hill*, within two Miles of *Durham*.

But about this time a Diſaſter happen'd to the King's Forces in *York-ſhire*, that occaſion'd a kind of Neceſſity for the Marqueſs of *New-Caſtle* to retire thither, and therefore is fit here to be related.

When his Lordſhip marched towards *New-Caſtle*, and Sir *Thomas Glemham* was made Collonel General, and marched into the Field with the Army, he left Collonel *Bellaſis* (now Lord *John Bellaſis*) Governour of *York*, and Commander in Chief of a very conſiderable Party of Horſe and Foot; and the Parliament being advertiz'd of the Marqueſs's Advance againſt the *Scots*, the following Letter was written to the Lord *Fairfax*.

A LETTER to the Lord *Fairfax*.

Letter from the Committee of both Kingdoms to the Lord *Fairfax*, *March* 5. 164$\frac{3}{4}$.

My Lord,

WE have taken into Conſideration the Opportunity that is now Offered for the Reducing and aſſuring of York-ſhire, *whilſt the Marqueſs of* New-Caſtle *hath drawn the greateſt part of his Forces towards the North, to oppoſe the* Scots; *and how neceſſary it is to hinder all further Leavies there to encreaſe his Army; which the better to effect, we have written unto Sir* Thomas Fairfax, *that he forthwith march into the* Weſt-riding *with all his Horſe, and that he take with him two Regiments of Foot out of* Lancaſhire. *And we deſire that your Lordſhip will alſo take the Field with as great a Force of Horſe and Foot as conveniently you can, and Joyning with Sir* Thomas Fairfax *make the beſt advantage you can of the preſent Opportunity, and of thoſe Forces*

for

20 *Caroli.*

for effecting the Ends aboveſaid: We deſire that you will hold a continual Intelligence with the Scotiſh *Army, and by drawing near to the* Tees, *or otherwiſe to give them the beſt Accommodation you ſhall be able: And that you will pleaſe continually to advertiſe Us of all your Occurrences and Affairs. This being all with which we ſhall at this time trouble your Lordſhip, We reſt.*

Derby-Houſe, 5 March, 1643.

Signed in the Name, and by the Warrant of the Committees of both Kingdoms, by

Your very loving Friends,

and Humble Servants,

Northumberland.
Jo. Maitland.

For the Right Honourable, the Lord Fairfax.

Accordingly Sir *Thomas Fairfax* who had been Beſieging the Counteſs of *Derby* in *Lathom-Houſe*, left Sir *William Fairfax*, Collonel *Aſhton*, Collonel *Rigby*, &c. to continue that Siege, and repaired into *York-ſhire* with near two thouſand Horſe. In the mean time Collonel *Bellaſis*, Governour of *York* for the King, was not idle; but underſtanding Collonel *Lambert* with his Regiment was Quartered at *Bradford*, marched thither to ſurprize them, but *Lambert* having Notice of their Approach, ſallied out to meet them, 'till perceiving how numerous their Party was, he thought it not ſafe to adventure beyond his Works, which they briskly aſſaulted, and he as well defended, forcing them to retreat, and then falling on the Rear took Coll. *Bagſhaw*, ſeveral Captains, One Hundred and fifty Horſe, and ſixty Foot, Priſoners.

But much worſe Fortune had the ſame Collonel *Bellaſis* ſoon after at *Selby*, whither he drew his Forces to hinder the Conjunction of the two *Fairfax*'s, which Defeat was the Cauſe of the Marqueſs of *Newcaſtle*'s return out of the North: An Account whereof be pleaſed to take, as it was given by the Lord *Fairfax* to *the Committee of both Kingdoms*, in the following Letter.

The

An. 1644.

The Lord *Fairfax*'s LETTER to *The Committee of both Kingdoms.*

My LORDS,

The Lord *Fairfax*'s Letter, touching the Fight at *Selby, April* 11. 1644.

According to the Orders ſent to me and my Son from your Lordſhips, we have now joyned our Forces together, though the Enemy held all the paſſes from the East Riding *to the* Weſt, *and by that means Intercepted divers of our Letters, and thereby became acquainted with our Appointments, and ſo endeavoured to prevent them; which forced me to decline* Selby, *and make a Paſſage over the River ten Miles below it, in* Marſhland, *where my Men and Carriages being paſſed with ſome difficulty on* Sunday *and* Munday *laſt, I inſtantly marched with the whole Army, conſiſting of two thouſand Horſe and Dragoons, and as many Foot, to* Ferry-Bridge, *and ſo to* Selby, *where Collonel* John Bellaſis (*Commanding in chief in* York-ſhire) *then lay with an Army of fifteen hundred Horſe, and eighteen hundred Foot, as themſelves Confeſs, though Reports made it much more Numerous. Upon* Wedneſday *our Forlorn Hope of Horſe beat in a Party of the Enemies Horſe, and followed them into the Town, taking divers Priſoners; and the Day being far ſpent, I Quartered the Army within a Mile of* Selby *that Night, and drew them out again early the next Morning, and then with the Foot in three Diviſions, one led up by my ſelf, a ſecond by Sir* John Meldrum, *and a third by Lieutenant-Collonel* Needham, *fell upon the Town, to ſtorm it in three places all together, where the Enemy received Us with much Courage, and made ſtrong reſiſtance for two Hours or thereabouts; but in Concluſion my own Foot-Regiment forced a Paſſage by the River-ſide, and my Son with his Regiment of Horſe ruſhed into the Town, where he was Encountred by Collonel* Bellaſis, *and the Enemies Horſe; but they being beaten back, and Mr.* Bellaſis *himſelf wounded and taken Priſoner, and our Foot entred on all ſides the Town, the Enemy was wholly Routed, and as many as could, ſaved themſelves by flight, ſome towards* Cawood, *ſome towards* Pontefract, *and the reſt towards* York, *over the River by a Bridge of Boats laid by themſelves: We purſued them every way, and took in the Town and Chaſe, the Priſoners, Ordnance, Arms, Ammunition and Colours mentioned in the Liſt encloſed. Of my Men I loſt in the Fight divers gallant Commanders and Souldiers, and very many ſore wounded; and indeed all my Army, both Commanders and Common Souldiers; behaved themſelves with as much Courage as ever I obſerv'd in Men; all which we muſt acknowledge to God alone, who both infuſeth Courage, and giveth Victory where He pleaſeth. I ſhall now I hope be able to raiſe more Forces in the Countrey, and improve this Victory that God hath beſtowed on us to the beſt Advantage. This being all for the preſent, until further Occaſion, I reſt*

Col. *Bellaſis* taken Priſoner, and 1600 of his Soldiers.

Selby, 12 *April*, 1644.

Your Lordſhips moſt Affectionate, and Humble Servant,

FERD. FAIRFAX.

20 *Caroli*

A

LIST

OF THE

OFFICERS taken Priſoners.

Col. *John Bellaſis.*
Col. Sir *John Ramſden.*
Sir *Tho. Strickland.*
Lieut. Col. *Tyndal.*
Lieut. Col. *Forbes.*
Major *Heskit.*

Commanders of Horſe.

Major *Wentworth.*
Major *Sadlington.*
Major *Rogers.*
Capt. *Horsfield.*
Capt. *Beverſham.*
Capt. *Waſhington.*
Capt. *Grimſton.*
Capt. *Cholmley.*

Captains of Foot.

Capt. *Scudamore.*
Capt. *Williamſon.*
Capt. *Morrit.*
Capt. *Turner.*
Capt. *Skelden.*
Capt. *Briggs.*
Capt. *Waterhouſe.*
Capt. *Kirk.*
Capt. *Hardcaſtle.*
Capt. *Liſter.*
Capt. *Nevil.*
Capt. *Conyers.*
Capt. Lieut. *Salvin.*
Capt. Lieut. *Conyers.*

Elias Walker, Maſter of the Magazine.
Richard Ludlow, Provoſt-Marſhal, and divers Serjeants, Trumpets, Drums, *&c.*
Four Braſs Pieces of Ordnance.
Seven Barrels of Powder.
Sixteen Bundles of Match.
Two thouſand Arms, or upwards.
Above five hundred Horſe.
Sixteen hundred Common Souldiers.
The Pinnace taken at *Gainsborough.*
All their Bagg and Baggage, and many Ships and Boats upon the River.

The two Houſes appointed a Solemn Thanksgiving to be kept for this Succeſs on the 23*d.* of *April.*

The Marqueſs of *Newcaſtle* receiving this unwelcome Intelligence, and finding the *Scots* (as we mentioned before) were advanced within two Miles of his Quarters at *Durham*, thought not fit to ſtay between two Armies of the Enemies, *viz.* The *Scots*, and the *Engliſh* that had thus prevailed in *York ſhire*, but immediately to March into

An. 1644.

The Marqueſs of *New-Caſtle* returns towards *York April* the 13*th.*

York-ſhire, to preſerve if he could the City of *York*, out of their hands.

Accordingly on *Saturday* the 13*th.* of *April*, (two dayes after the Battel at *Selby*) the Marqueſs having ſent for what Forces could be ſpared out of *Newcaſtle* and *Lumley-Caſtle*, to ſtrengthen his Foot, began to remove his whole Force from *Durham*, and that in a great deal of haſt, being much alarmed with the loſs of *Selby*; being alſo by Letters from *York* much importuned to haſten: ſo the Marqueſs left cumberſome Proviſions behind him; he directed his March weſtward towards *Biſhops Awkland*, in and about which they lay that Night, and next morning marched towards *Bernard's-Caſtle* and *Piercebrigg*: Hereupon General *Leven* raiſed his Leaguer from *Quarendon-Hill*, and marched that *Saturday* to *Ferry-hill*, and ſo forwards on the *Lords-day* to *Darnton*; the next day a Party of their Horſe fell upon the Marqueſs's Rear, and killed and took about Eighty of them. The Marqueſs haſten'd his March for *York*, where he arrived *April* the 19*th.* The *Scots* on the 17*th.* came to *Wetherby*; the next day the Lord *Fairfax* and Sir *Thomas Fairfax* came to View the *Scots* Army, and the day following General *Leven* gave them a Viſit at their Quarters, where it was agreed that both Armies ſhould on the 20*th.* joyn at *Tadcaſter*, and march up to *York*, which was done accordingly, and that City inveſted by their United Forces, who yet were not enough to Beleaguer it on all Parts: For the Marqueſs having a great ſtrength of Horſe, between four and five thouſand, and the advantage of a Bridge over the River, could eaſily Tranſport them to either ſide in ſhort time; ſo that if the Beſiegers divided their Forces, the River being betwixt them, he might fall on the weaker, and the reſt would not be able to relieve them; therefore to augment their Numbers, it was thought fit that the Earl of *Mancheſter* with his Army out of the *Aſſociated Counties* ſhould alſo advance to this Leaguer; touching whoſe coming up, and the Exploits by them performed ſome time before in *Lincoln-ſhire*, it will be neceſſary here to ſpeak.

And the *Scots* after him.

The *Scots* and the Lord *Fairfax* joyn their Armies *April* 20. and Beſiege the Marqueſs of *Newcaſtle* in *York*.

The taking of *Lincoln*, *May* the 6*th.* 1644.

On *Friday*, *May* the 3*d.* the Earl of *Mancheſter* ſat down before *Lincoln*, and after ſome reſiſtance, made himſelf Maſter of the lower part of the City, the Beſieged retreating to the *Minſter* and the *Caſtle* on the top of a high Hill; the next day there fell ſo much Rain as hindered any great Action: that Night *Mancheſter* intended to ſtorm them, and drew up his Foot, and ſent for the Horſe from their Quarters, to be ready by two of the Clock in the Morning; but the Weather continuing ſo violent, prevented it; the Mount whereon the Caſtle ſtands being exceeding ſteep, and by reaſon of the Rain very ſlippery: Next day they had Notice, that a great Body of Horſe, to the Number of five or ſix thouſand, under Collonel *Goring's* Command, were coming to Relieve the City; this haſtened *Mancheſter* into a Reſolution to ſtorm them that Afternoon, and to that intent the Scaling Ladders were brought forth, and the Foot were ready to ſet on; but underſtanding the ſaid Horſe could not come up that Night, it was put off 'till next morning; and to prevent the Relief expected, *Cromwel* with two thouſand Horſe was ſent to meet them: The Foot were Ordered that Night to lye upon the ſeveral Quarters of the Hill, round about their Works, and to be all in a readineſs to fall on, when they ſhould hear the great Ordnance go off, which was between Two and Three a Clock in the Morning, there being then ſix Pieces diſcharged at once; then in a moment they all began

the

20 *Caroli.*

the Attacque, and in a quarter of an Hour got up to their Works, though the King's Forces made a gallant reſiſtance; and being under their Works, ſet up their Scaling Ladders, whereupon thoſe within left firing, and threw down mighty Stones from over their Works, which did the Aſſailants more prejudice than their Shot, yet at laſt up they got, and ſlew about fifty in the Works, and the reſt Cryed for *Quarter*, which was given them.

There were taken Sir *Francis Fane*, the Governour; Collonel Sir *Charles Daliſon*, Collonel *Middlemore*, and Collonel *Bandes*; two Lieutenant Collonels, two Majors, twenty Captains, four Drums, one Trumpet, about ſeven hundred private Souldiers, one hundred Horſe, all their Arms and Ammunition, and eight Pieces of Ordnance. All the Pillage of the upper Town which was taken by Storm, was given to the Soldiers. On *Mancheſter*'s ſide there were eight Killed, (whereof Captain *Ogleby* and Lieutenant *Sanders* were two) and about forty wounded.

The two Houſes taking this Succeſs of *Mancheſter*'s into Conſideration, on the 15*th.* of *May* paſs'd an Ordnance for maintaining the Forces under his Command; reciting, That whereas the ſeven Aſſociated Counties of *Eſſex*, *Suffolk*, *Norfolk*, *Hertford*, *Cambridge*, *Huntington* and *Lincoln*, with the Iſle of *Ely*, out of their loyal reſpect to his Majeſty, their pious diſpoſition to the Peace and Happineſs of this Kingdom, in Obedience to the Orders of Parliament, have raiſed and maintained to the Number of *fourteen thouſand Horſe, Foot, and Dragoons*, and with them (within five Months laſt paſt) have done many Services tending much to the ſafety of the Kingdom; and intend to raiſe a far more conſiderable Force both of Horſe and Foot, and have alſo bought many Arms and Ammunition, and muſt buy more, whereby to furniſh themſelves with a Train of Artillery, and have been and muſt be at great Charges in Maintaining and Recruiting the ſaid Forces, and in keeping ſeveral Garriſons, making and erecting of Fortifications, Magazines, Courts of Guard, and other things requiſite and neceſſary for the defence and ſafety of the ſaid Aſſociation againſt the Incurſions of the Enemy; by all which means the ſaid Aſſociation is become much Indebted, and without the ſpeedy raiſing of large and conſiderable Summs of Money, proportionable to their vaſt Expences, cannot long ſubſiſt in a Condition to keep themſelves from Ruine, and to advance the Publick.

The Number and Charge of *Mancheſter*'s Forces, as provided for by Ordinance, *May* 15.

It is therefore Ordained, that for the Intents and Purpoſes aforeſaid, the ſeveral Weekly Summs following ſhall be Charged, Rated, Taxed and Leavyed, *viz.*

	l.	*s.*
On the County of *Eſſex*, the Weekly Summ of	1687	10
On *Suffolk* weekly	1875	00
On *Norfolk*, and the City of *Norwich*	1875	00
On the County of *Hartford*	0675	00
On the County of *Cambridge*	0562	10
On the County of *Huntington*	0330	00
On the County of *Lincoln*, and City of *Lincoln*	1218	15
On the Iſle of *Ely*	0221	05

An. 1644.

The ſame to be Collected and paid Weekly, to begin from the firſt of *May*, 1644. and ſo to continue Weekly for four Months, and to be paid and diſpoſed of by Directions from the Earl of *Mancheſter*.

Mancheſter advances Northwards, and ſends Horſe to attend Sir *Ch. Lucas*.

The Earl being thus Encouraged both with Succeſs, and Proviſion made for his Army, cauſed a Bridge of Boats to be made near *Gainsborough*, the better to hold Communication (upon any occaſion) with the *Scotiſh* Army, and that of my Lord *Fairfax*, and appointed two Regiments of Foot with Cannon to guard that Work: Over this Bridge near three thouſand Horſe were diſpatcht unto *Baintree*, *Ratford* and *Tuxeford*, and there joyned with two thouſand ſent from the *Scots*, and the Lord *Fairfax*, to wait the motion of Sir *Charles Lucas*, the Marqueſs of *Newcaſtle*'s Lieutenant-General, whom he had ſent out of *York* with a ſtrong Body of Horſe to Forrage abroad in part of *Yorkſhire*, *Derbyſhire*, *Nottinghamſhire*, and *Leiceſterſhire*, for their Aſſiſtance.

The Earl of *Mancheſter*'s Army joyns in the Siege of *York*, 3 *June*, 1644.

As for *Mancheſter*'s Foot, they marched *May* the 25*th*. from *Lincoln* to *Gainsborough*, and the next day into the Iſle of *Axholm*, and thence to *Thorn* and *Selby*, and on *Munday* the 3*d*. of *June* drew to the Leaguer at *York* about ſix hundred Foot, and one hundred Horſe, and twelve Field-Pieces, being Quartered before *Bowdome-Bar*, and that ſide towards *Clifton*.

The ſame day ſome of the Parliaments Souldiers took *Walton-Hall*, near *Wakefield*; and in it Sir *Francis Wortley*, the Elder, (one of the firſt Gentlemen that Engaged a Party for the King in *York-ſhire*) and with him one Hundred and Twenty Souldiers: But (to ballance this) the very ſame Night ſixty Horſe ſent by Sir *Hugh Cholmley* out of *Scarborough* came to *Buttercoms*, where Mr. *Henry Darley* (a Member of the Houſe of Commons, and one of their Committee attending the *Scots* Army) was Quartered, and the Drawbridge being that Night accidentally left down, they entred, and took him in his Bed, and carryed him Priſoner to *Scarborough*.

Hitherto *York* had been under a kind of Blockade, and many petty Skirmiſhes had happen'd between them and the Armies that lay before them: But now they are begirt and ſhut up far cloſer than before, and fierce Batteries begin to be made upon them: For on the 5*th*. of *June* a Work was raiſed upon a Hill near *Walm-Gate*, and therein four pieces of Cannon planted, which play'd all that Afternoon upon the Caſtle, Tower, and Town: Nor were they idle from the Town, but beſtowed above a hundred great Shot from ſeveral Plat-forms on the Beſiegers: And *June* the 6*th*. they fired moſt part of the Suburbs, and drew their People into the Town; the Beſiegers endeavour'd to quench thoſe fires, and preſerve the Houſes for their own ſhelter, and ſeveral hot Skirmiſhes happen'd between them on that Account.

The Earl of *Mancheſter*'s Forces fell on near *Walm-Gate*, and took St. *Nicholas* Church, but were forced to deſert. The *Scots* made an Attacque near *Mickle-Gate-Bar*, and brought away a Booty of Cattel and Horſes; the Beſieged made ſeveral gallant Sallies, and were beaten back with like Courage: Every day produced ſome notable Action, but too tedious to be here inſerted: Nor indeed could I ever ſee an exact Diary of the firſt part of this Siege, which makes me more ſparing of particulars.

The

The Hopes the City had of Relief, were from Prince *Rupert*, who after he had Relieved *Newark* with a great Loss to the Parliament, his Highness repaired back into *Shropshire*, and took in the Garrison at *Longford* near *Newport*, the same being Surrendered upon Articles concluded upon between Serjeant Major *Skrymshier* on the Princes behalf, and Captain *Parry* who Commanded there, *viz.* That the House should be delivered, and all things therein to be left there for his Majesties Use. That the two Captains should March away on Horseback with Swords and Pistols, but the rest of the Souldiers to leave all their Arms behind them, and that they should have a Convoy to *Eccleshall-Castle*. Here were taken four Barrels of Powder, some Granadoes, Match and Bullet proportionable, Store of Corn and other Provisions, one hundred Musquets, and some Pikes.

Anno Caroli.

After this his Highness marched towards *Lancashire*, designing to Relieve the Countess of *Derby*, who for the space of eighteen Weeks was Besieged in *Latham-House*, and made a gallant Defence; but in his way on *May* the 25*th.* came before *Stopworth*, a Town in *Cheshire*; but seated on the Bank of the River *Mersey*, which divideth that County from *Lancashire*, where the Parliament had a strong Garrison, who marched out to meet him, and lined the Hedges where he was to pass with Musqueteers; but they were beat from thence by Collonel *Washington* and a Party of Dragoons, who forced them into the Town in such disorder, that the Prince with his Horse followed them at the Heels, and entred Pell-mell with them, and so took the Town, with all their Cannon, most of their Arms and Ammunition, and some Hundreds of them Prisoners.

Stopworth in *Cheshire* taken by Prince *Rupert*, *May* the 25*th.*

From thence he sent Forces to Relieve the before-mentioned Countess, but the Besiegers hearing of the Princes Advance, and his Success at *Stopworth*, had raised the Seige of their own accord, and Marched away with Bagg and Baggage: And Collonel *Rigby* with part of those Forces, went to *Bolton* in *Lancashire*, where before there was little Ammunition, few Men, or other means of Defence. But with this Accession there were in all about two thousand Soldiers, and five hundred Club-men, which yet proved insufficient.

The Countess of *Derby* at *Latham-House* relieved, and that Seige raised.

For on *Tuesday*, *May* the 28*th.* Prince *Rupert* bringing thither his whole Army, consisting of ten thousand or upwards, appeared about two of the Clock in the Afternoon before the Town, approaching on the *Moor*, on the South-west part of it, but presently cast themselves into several Bodies, and sent out Scouts to discover where they might most advantageously enter. Those in the Town prepared for their Defence, and gave the Assailants half an hours sharp Entertainment, and repulsed them; but in the second Attacque, which was performed with all imaginable Fury, a Party of Horse broke into the Town, at a place called *The Private Akers*, (it being suspected that a certain Townsman for a Reward had been their Guide that way, as the most feasible Passage) and they being once got in, every one endeavoured to shift for himself, and the Princes Forces rushed in on all quarters of the Town, and put great Numbers to the Sword, pursuing their Victory not only in the Town, but some Miles round, in Out-houses, Fields, High-wayes and Woods, killing, destroying, and spoiling almost all they met with; and (as the Towns-people alleadged afterwards) denying Quarter, and using other Violences, besides totally plundering the Town, and slaying four Ministers. It was acknowledged by the Princes own Party, that

Bolton taken by Pr. *Rupert*, *May* 28.

An. 1644.

that they there put to the Sword about twelve hundred; but for this ſeverity alledged, That the Prince ſending an Officer to Summon the Town, they not only refuſed, but in Defiance cauſed one of the Princes Captains whom they had taken not long before, to be Hanged in his ſight. But as I find not this Captain's Name any where mentioned, ſo the other Party wholly denyed that part of the Story. On the Parliaments ſide two Captains were ſlain, but Collonel *Rigby*, a Councellor at Law, and Member of the Houſe of Commons, who Commanded here in chief, eſcaped with ſome ſcattered Forces to *Bradford* in *York-ſhire*.

Prince *Rupert* takes *Leverpool*, *June* 11.

In the next place his Highneſs advanced to *Leverpool*, an Haven-Town of *Lancaſhire*, on the Edge of *Cheſhire*, where Collonel *More* was Governour for the Parliament, to whoſe Relief forty *Engliſh* and *Scots* (of the Party ſent off from *York* into thoſe parts) were lately come from *Mancheſter* to *Warrington*, and ſo by Water to *Leverpool*: But notwithſtanding their Aſſiſtance, and the ſtout reſiſtance made by them and the reſt of the Garriſon, the Prince made himſelf Maſter of the Town, but of no great Booty beſides: For the Governour finding it not tenable againſt ſo great a Force, privately drew off his beſt Ordnance, Arms, Ammunition, and afterwards moſt part of his Souldiers, and richeſt Goods in the Town, and ſafely convey'd them on Board the Ships in the Pool, and then the Aſſailants with little Oppoſition entred the Town, where finding themſelves diſappointed of Plunder, the Common Souldiers were much incenſed, and reveng'd themſelves on the Inhabitants, and thoſe Souldiers they found left behind, and would ſcarce allow them Quarter.

This Town was of great importance, by its convenient Scituation for the landing of Forces from *Ireland*. After this the Prince marched to *Blackburn*, where Collonel *Shuttleworth* skirmiſhed with ſome of his Forces, and from thence his Highneſs continued with all Expedition his March towards *York*; where in the mean time the Marqueſs of *Newcaſtle* (to gain time, as it was believed) 'till the Prince might come up, had made ſome Overtures for a Treaty; for on *Saturday* the 8*th.* of *June*, his Lordſhip ſent a Trumpeter to the *Scottiſh* Leaguer with this Letter.

A LETTER to the Earl of *Leven*.

The Marqueſs of *Newcaſtle*'s Letter to the Earl of *Leven*.

My Lord,

I Cannot but Admire that your Lordſhip hath ſo near Beleaguer'd this City on all ſides, made Batteries againſt it, and ſo near approached to it, without ſignifying what your Intentions are, and what you deſire or expect, which is contrary to the Rules of all Military Diſcipline, and Cuſtoms of War; therefore I have thought fit to Remonſtrate thus much to your Lordſhip, to the end that your Lordſhip may ſignifie your Intentions and Reſolutions therein, and receive Ours: And ſo I remain,

York, 8 *Junij*, 1644

My Lord,

Your Lordſhips humble Servant,

WILL. NEWCASTLE.

Directed for his Excellency the Earl of Leven.

To

To which General *Leſhley* returned this Anſwer.

My Lord,

AT this diſtance I will not diſpute with your Lordſhip points of Military Diſcipline, nor the Practice of Captains in ſuch Caſes; yet to give your Lordſhip ſatisfaction in that your Letter deſires from me: Your Lordſhip may take Notice, that I have drawn my Forces before this City, with Intention to reduce it to the Obedience of King and Parliament; whereunto if your Lordſhip ſhall ſpeedily Conform, it may ſave the Effuſion of much Innocent Blood, whereof I wiſh your Lordſhip to be no leſs ſparing than I am; who reſt,

The Earl of *Leven*'s Anſwer.

From Fowforth,
8 June, 1644.

Your Lordſhips
moſt Humble Servant,

To his Excellency the Lord Marqueſs of Newcaſtle.

LEVEN.

There was alſo a like Letter directed to the Lord *Fairfax*, and the ſame Anſwer in effect return'd; but underſtanding that the Earl of *Mancheſter* had received no Letter, General *Leſhly* and the Lord *Fairfax* did ſignifie to the Marqueſs of *Newcaſtle*, that ſeeing the Earl of *Mancheſter* was equally concern'd with themſelves, except he alſo were Addreſſed unto, they neither could nor would admit any Parley without him; whereupon the next day this following Letter was brought to the Earl of *Mancheſter*, with the Tranſcripts of what had been ſent to the Earl of *Leven* and Lord *Fairfax* encloſed.

A LETTER to the Earl of *Mancheſter*.

My Lord,

THe encloſed is the Effect of two Letters I wrote yeſterday, one to the Earl of Leven, *the other to the Lord* Fairfax, *and I had done the like to your Lordſhip then, if I had had any Aſſurance of your Lordſhip's being in theſe parts in your own Perſon; but ſince I am now ſatisfied of your Lordſhips being here, I have thought fit to preſent the ſame to your Lordſhips Conſideration, with this deſire, that I may receive your Lordſhips Reſolution therein, and ſo I remain*

The Marqueſſes Letter to the Earl of *Mancheſter*.

York,
June 9. 1644.

My Lord,

Your Lordſhips moſt Humble Servant,

WILL. NEWCASTLE.

To the Right Honourable the Earl of Mancheſter.

To

To this immediately Manchester return'd

My Lord,

Earl of *Manchester*'s Answer.

BY Favour of his Excellency the Earl of Leven, *and the Lord* Fairfax, *I was no ſtranger to your Lordſhips former Letters, and your Lordſhip having now with Civility put me in a Conjuncture with them, I ſhall deſire your Lordſhip to believe that my Heart is the ſame with theirs in this Buſineſs, and their Expreſſions in their Letter to your Lordſhip, are fully owned by me as my ſence; and therefore if your Lordſhip will pleaſe to read the firſt Letter from the Earl of* Leven *and the Lord* Fairfax, *you ſhall by that clearly ſee the Reſolution of*

Leaguer before *York*,
June 9. 1644.

Your Lordſhips
moſt Humble Servant,

MANCHESTER

That Night all the three Generals met, and expreſſed their Concurrence in a readineſs to Treat about the Surrendring the City in ſuch ſort, that Mens Lives and Eſtates might not be expoſed to Ruine unneceſſarily. General *Leſhley* nominated Commiſſioners, the Earl of *Lindſay*, and the Lord *Humbee*, Commiſſary General of his Army: The Lord *Fairfax* named Sir *William Fairfax* and Collonel *White*; the Earl of *Mancheſter* propounded on his part Collonel *Ruſſel* and Collonel *Hammond*, and ſignified ſuch their readineſs to Parley, and their Commiſſioners Names to the Marqueſs of *Newcaſtle*; but withall, that they were unwilling to yield unto a Ceſſation of Arms in any part of the City, but the Place that ſhould be appointed for Treaty.

Names of the Commiſſioners for the three Generals.

The Marqueſs deferred his Anſwer two dayes, and then his Letter was as followeth.

A LETTER to the Earl of *Leven*, the Lord *Fairfax*, and the Earl of *Mancheſter*.

My Lords,

The Marqueſſes Letter to the three Generals.

I Have received your Lordſhips Letter, with the Names of the Commiſſioners appointed by your Lordſhips: But ſince your Lordſhips have declared in your Letter to allow a Ceſſation of Arms only on that ſide of the Town, during the time of the Treaty, I find it not fit for me to encline to it upon thoſe Conditions, and had return'd your Lordſhips this Anſwer long before this time, if ſome weighty Affairs had not retarded my deſires in that particular; I am

My Lord,

Your Lordſhips moſt Humble Servant,

W. NEWCASTLE.

The

20 *Caroli.*

The next day they ſent the following Summons, directed to the Marqueſs of *Newcaſtle.*

The Marqueſs Summoned to render the City, *June* 12.

WE the Generals of the Armies raiſed for the King and Parliament, and now imployed in this Expedition about York, *that no further Effuſion of Blood be occaſioned, and that the City of* York *and Inhabitants may be preſerved from Ruine, do hereby require your Lordſhip to ſurrender the ſaid City to Us, in the Name and for the Uſe of the King and Parliament, within the ſpace of twenty four hours after the receipt hereof; which if you refuſe to do, the Inconveniencies enſuing upon your refuſal muſt be required at your Lordſhips hands, ſeeing our Intentions are not for Blood, or Deſtruction of Towns, Cities and Countries, unleſs all other means being uſed, we be neceſſitated hereunto, which ſhall be contrary to the Minds and Hearts of*

June 12. 1644.

My Lord,

Your Excellencies Humble Servants,

Leven. Fairfax. Mancheſter.

The Marqueſſes ANSWER next day, directed to all the three Generals.

The Marqueſſes Anſwer to the Summons.

My Lords,

I Have received a Letter from your Lordſhips, Dated yeſterday about four of the Clock in the Afternoon, wherein I am required to Surrender the City to your Lordſhips within twenty four hours after the receipt; but I know your Lordſhips are too full of Honour to expect the Rendring the City upon a Demand, and upon ſo ſhort an Advertiſement to me, who have the King's Commiſſion to keep it, and where there are ſo many generous Perſons, and Men of Honour, Quality and Fortune, concerned in it. But truely I conceive this ſaid Demand high enough to have been exacted from the meaneſt Governour of any of his Majeſties Garriſons: And your Lordſhips may be pleaſed to know, that I expect Propoſitions to proced from your Lordſhips, as becomes Perſons of Honour to give and receive from one another; and if your Lordſhips therefore think fit to propound Honourable and Reaſonable Terms, and agree upon a General Ceſſation from all Acts of Hoſtility during the time of a Treaty, then your Lordſhips may receive ſuch ſatisfaction therein, as may be expected from Perſons of Honour, and ſuch as deſire as much to avoid the Effuſion of Chriſtian Blood, or Deſtruction of Cities, Towns and Counties, as any whatſoever, yet will not ſpare their own Lives, rather than to live in the leaſt ſtain of Diſhonour: And ſo deſiring your Lordſhips Reſolution, I remain

York, 13 *June*, 1644.

Your Lordſhips moſt Humble Servant,

WILL. NEWCASTLE.

An. 1644.

The three Generals Conſulting, leaſt they ſhould ſeem averſe to Propoſitions for an Accord, yielded to a general Ceſſation during the Treaty, and three Hours before, and three Hours after; and thereupon the Marqueſs Nominated his Commiſſioners, *viz.* The Lord *Witherington*, Sir *Thomas Glemham*, Sir *William Wentworth*, Sir *Richard Hutton*, Sir *Thomas Mottam* and Sir *Robert Strickland*: They were to meet the others before Named at three a Clock next day, in a Tent between two Forts: One lately taken by the Beſiegers, and in their Poſſeſſion, and the other belonging to the Town, and had on each ſide a hundred Muſqueteers to attend them: Mr. *Boteler*, the Marqueſs of *Newcaſtle*'s Secretary, attended on their Commiſſioners, and Mr. *Primroſe*, Secretary to the *Scots* Army, and Mr. *Weaver*, as Secretaries to the Commiſſioners of the other Party.

Names of the Marqueſſes Commiſſioners

The Commiſſioners continued together from three a Clock 'till Nine: The Reſult was, That the Commiſſioners for the City tendred to the others a Paper containing as followeth.

PROPOSITIONS *to be tendered to the Enemy.*

I.

Propoſitions tendered by the City to the three Generals.

THat the City ſhall be rendred within twenty dayes, in Caſe no Relief come to it by that time from the King or Prince *Rupert*, upon theſe Conditions:

That the Marqueſs of *Newcaſtle*, with all his Officers and Souldiers therein, have free Liberty to depart, with Colours flying, and Match lighted, and to take with them all Arms, Ammunition, Artillery, Money, Plate, and other Goods belonging to them: For which end, That Carriages be provided them, and Victuals and other Proviſion for their March.

That they be Convoyed to the King, Prince *Rupert*, or any other Garriſons of the King, where they pleaſe: And that they be not forced to March above eight Miles a day.

That they ſhall have liberty to ſtay, or appoint others to ſtay forty dayes in the Town, for the Sale of ſuch Goods, or for conveying of them to other Places, which they ſhall not be able to carry away with them.

That no Oath, Covenant or Proteſtation be Adminiſtred to any of them, further than is Warranted by the known Laws of the Land.

II.

That the Gentry therein have Liberty to go to their Houſes, and there be Protected from Violence, and not queſtioned for what they have done: Nor any Oath or Covenant to be tendred to them as aforeſaid.

III. That

20 Caroli.

III.

That the Townſmen enjoy all their Priviledges and Liberty of Trade and Merchandize, as before, and not to be queſtioned for any thing they have done againſt the Parliament; and that no Oath be tendered to any of them.

That the Garriſon to be ſet into *York*, be only *Yorkſhire* Men.

That all the Churches therein be kept from Prophanation, and no Violation offered to the Cathedral Church. That Divine Service be allow'd to be perform'd therein as formerly. That the Revenues of the Church remain to the Officers thereof, as it hath done; and that the Prebends continue their Prebendaries and other Revenues according to the Laws.

IV.

That all Miniſters and other Eccleſiaſtical Perſons therein, of what Countrey ſoever, have liberty to depart with the Army, or to their own Livings, there to ſerve God and to enjoy their Eſtates without diſturbance: That no Oath or Covenant be proffered to them, as aforeſaid; nor they queſtion'd hereafter for what they have done for the King's Party.

V.

That good Hoſtages be given, and to remain in Cuſtody; and that *Cliffords-Tower* (the chief Fort in *York*) be ſtill kept Garriſon'd by the King's Party, until the Articles aboveſaid be punctually performed: And then the ſaid Garriſon, and all Arms, Ammunition and Cannon therein, be ſafely Convoy'd to what Garriſon of the King's they pleaſe.

The Commiſſioners for the Beſiegers expreſs'd great diſlike of theſe Propoſitions, and after long Debate, three of them went to the Armies, to acquaint the Generals that employ'd them, therewith; from whom, after about two Hours ſtay, they brought a Paper, ſigned by them all three, Offering the Town theſe Conditions, *viz.*

PROPOSITIONS *tendred to the Marqueſs.*

I.

Propoſitions tendered by the three Generals to the Marqueſs.

THat the City of *York*, and all the Forts, together with all Arms, Ammunition, and other Warlike Proviſions whatſoever, in and about the ſame, be rendred and delivered up to us, for and to the Uſe of the King and Parliament, upon the Conditions following, *viz.*

II.

That the Common Souldiers ſhall have free Liberty and Licenſe to depart and go to their own Homes, and to carry with them their Cloaths, and their own Money, (not exceeding fourteen dayes

An. 1644. Pay) and ſhall have ſafe Conduct and Protection of their Perſons from Violence, they promiſing that they will not hereafter take up Arms againſt the Parliament or Proteſtant Religion.

III.

That the Citizens and ordinary Inhabitants of the ſaid City ſhall have their Perſons and Houſes protected from Violence, and ſhall have the ſame free Trade and Commerce as others under Obedience of King and Parliament; and that no Regiments or Companies ſhall be Admitted or Quartered in the Town of *York*, except thoſe that are appointed for the Garriſon thereof.

That the Officers of all qualities ſhall have Liberty to go to their own homes, with Swords and Horſes, and ſhall have Licenſe to carry their Apparel and Money along with them, (the Money not exceeding one Months Means for every ſeveral Officer.)

IV.

Any Officer that ſhall be recommended by the Marqueſs of *Newcaſtle*, ſhall have a Paſs from one of the Generals to go beyond Seas, they promiſing not to ſerve againſt the Parliament and Proteſtant Religion.

V.

That the Gentry, and other Inhabitants of the County of *York*, now reſiding in the City of *York*, ſhall have Liberty to go to their own homes, and ſhall be protected from Violence.

That a poſitive Anſwer be returned to theſe Propoſitions by three of the Clock to Morrow Afternoon, being the 15*th.* Inſtant. And in Caſe they ſhall not be then accepted, we ſhall not hold our ſelves bound to them: And in the mean time we declare there's no Ceſſation after the three Hours already granted.

LEVEN.
FAIRFAX.
MANCHESTER.

Upon Reading theſe Propoſitions, the Commiſſioners for *York* were very impatient, and ſo far from accepting them, that they would not carry a Copy of them to the Marqueſs, and ſo the Treaty broke up without effect. But next morning General *Leſhley* ſent in a Copy by a Drummer, to which the Marqueſs returned this Anſwer:

The Marqueſs's ANSWER to the Generals Propoſitions.

The Marqueſſes Letter, refuſing the laſt Propoſitions.

My Lord,

I Have peruſed the Conditions and Demands your Lordſhip ſent, but when I Conſidered the many Profeſſions made to avoid the Effuſion of Chriſtian Blood, I did admire to ſee ſuch Propoſitions from your Lordſhips, conceiving this not the way to it: For I cannot ſuppoſe that

your

your Lordships do Imagine, that Persons of Honour can possibly condescend to any of these Propositions, and so remain

20 *Caroli.*

York, 15 *June* 1644. My Lord,

Your Lordships most Humble Servant,

WILL. NEWCASTLE.

The Cessation being now expired, the Souldiers both in the City and Leaguer, Musquetteers and Canoneers, who all the Week before had Day and Night answered each other, did renew and encrease their Assaults. Upon the 16*th.* day *Manchester*'s Men having Undermined a Tower belonging to the Mannor near *Bootham-Bar*, were compelled to spring the Mine *, and accordingly the Tower was blown up, and in the fall of it many Townsmen and Women kill'd; and this Breach being made, about two hundred of the Besiegers entered, and having scaled two or three Walls, possessed themselves of the Mannor: But the City being herewith Alarm'd, their Forces flockt thither from all parts, and surrounded them, and blockt up the Breach, the only way of Retreat; yet they fought resolutely as long as their Powder lasted, and then submitted, fifteen of them being kill'd, and sixty wounded, who with about a hundred more were made Prisoners. There were also killed before they Entred the Breach about twenty, and forty wounded, so that in all that day the Besiegers were computed to lose near three hundred Men.

* The *Scots* Major General *Craford* sprung this Mine without the knowledge of the two other Generals, who might have allarmed the City in other parts.

From this time, 'till *Munday*, *June* the 24*th.* no extraordinary Action happen'd, but daily small Skirmishes, and Canon-playing frequently both Night and Day. But about four a Clock in the morning, *June* 24. a Commanded Party of six hundred Sallied out from *Munch Bar*, and furiously assaulted the Earl of *Manchester*'s Leaguer, but after a sharp Conflict, were obliged to retreat with loss.

Notice of the Prince's Advance to *York*.

On *Sunday* the 30*th.* of *June*, towards Evening, the Generals had certain Notice that Prince *Rupert* with his Army of near twenty thousand Men (for he had gathered all the Forces he could in his March, and Sir *Charles Lucas* with the Marques of *Newcastle*'s Horse were joyned with him) was advancing, and that he would Quarter that Night at *Knaresborough* or *Burrough-brigg* (the former being not above fourteen, and the latter twelve Miles from *York*) whereupon not thinking themselves able to fight him, and also continue the Siege, and supposing it safest to fight him with their whole strength, resolved that Night and in the Morning to raise the Siege; and accordingly on *Munday* the first of *July* drew off all their Forces, Horse and Foot, and Artillery, without any loss, and marched to a great Moor, four or five Miles from *York*, on the South-West side of the River *Owse*, called (from the adjacent Villages) sometimes *Hessam-Moor*, but most commonly *Marston-Moor*, and there drew up in *Battalia*, expecting the Prince would have made that his way to *York*. But his Highness intent upon the Relief of the City, caused only a Party of his Horse to face the Enemy on the Moor, near a Bridge where they might at pleasure

The Siege rais'd *July* 1st.

secure

An. 1644.

The Prince Relieves *York.*

The Life of William *Duke of* Newcaſtle, fo. 46.

ſecure their Retreat, and in the mean time himſelf with about two hundred Horſe marched to *York*, on the other ſide the River; but his Foot and Ordnance quarter'd that Night in the Forreſt of *Gortrey*, within five Miles of the City.

The Prince and Marqueſs falling into Conſultation, the Marqueſs (as I find in his Life, ſaid to be Written by his Dutcheſs) "Deſired his Highneſs not to attempt any thing as yet upon the "Enemy, for he had Intelligence that there was ſome Diſcontent "between them, and that they were reſolved to divide themſelves, "and ſo to raiſe the Siege without fighting: Beſides, that he ex"pected within two dayes Collonel *Clavering*, with above three "thouſand Men out of the North, and two thouſand drawn out "of ſeveral Garriſons, (who alſo came at the ſame time, though "it was then too late.) But his Highneſs anſwered my Lord, That "he had a Letter from his Majeſty, (then at *Oxford*) with a poſi"tive and abſolute Command to fight the Enemy, which in Obe"dience, and according to his Duty he was bound to perform: "Whereupon my Lord replyed, That he was ready and willing for "his part to obey his Highneſs in all things, no otherwiſe than if "his Majeſty was there in Perſon himſelf: And though ſeveral of "my Lords Friends adviſed him not to Engage in Battel, becauſe "the Command (as they ſaid) was taken from him; yet my "Lord anſwered them, That happen what would, he would not "ſhun to fight, for he had no other Ambition but to Live and "Dye a Loyal Subject to his Majeſty. And after the Army was "drawn up, my Lord asking his Highneſs what Service he would "be pleaſed to Command him; who returned with this Anſwer, "That he would begin no Action upon the Enemy, 'till early in "the Morning, deſiring my Lord to Repoſe himſelf 'till then; "which my Lord did, and went to reſt in his own Coach, that "was cloſe by in the Field; but had not been long there, but "heard a great Noiſe and Thunder of Shooting, which gave "him Notice that the Armies were Engaged ——— But to return.

The Deſcription of the Battel at *Marſton-Moor*, July 2*d.* 1644.

The Parliamentarians finding themſelves diſappointed, and that the Prince had relieved the City without fighting, Quartered themſelves that Night at *Long-Marſton*, and in the Towns adjacent; but a great part of their Horſe ſtaid all Night upon the Moor. Next day they reſolv'd to march to *Tadcaſter*, *Cawood* and *Selby*; partly to poſſeſs the River, and thereby hinder him from furniſhing *York* with Proviſions out of the *Eaſt-riding*; as alſo to obſtruct his March Southwards, he having ſcarce any other way to March, the Earl of *Denbigh* and the *Lancaſhire* Forces being advancing from the Weſt, whence he came.

Accordingly, on *Tueſday*, *July* the 2*d.* early in the Morning, their Foot and Artillery were Commanded to march towards *Tadcaſter*, the *Scots* leading the Van; but before they were arrived within a Mile of that Town, Notice was given, that the Prince about Nine a Clock with the Van of his Army, conſiſting of five thouſand Horſe, was come upon the Moor near *Marſton*, and preſs'd cloſe upon their Rear, and was drawing on the reſt of his Forces, appearing reſolved to Fight them. Hereupon their Foot and Carriages were Ordered back with all ſpeed, (ſome of them being advanced four or five Miles.)

In

20 *Caroli*

In the mean time both Parties were buſie in drawing themſelves up into Order; the Prince had poſſeſs'd himſelf of ſo much of the Moor, and advanced ſo near them, that they had not Liberty enough to draw up upon the Moor, but were forced to draw their Men into a large Field of *Rye*, which being a riſing ground, the Prince ſent a Party to hinder them of that Advantage, but they were beat back, and that Corn-field poſſeſs'd by the Enemy, whoſe Pioneers made way to get ground whereon to extend the Wings of their Army, placing their Right Wing juſt by *Marſton*-Town-ſide, the Town on their right-hand, fronting on the Eaſt; and as their Foot and Horſe came up, formed their Battalia and left Wing, endeavouring to gain as much of the left point as they could; ſo that at laſt their Army fronted to the Moor, from *Marſton* to *Topwith*, being a Mile and an half in length. The Prince having part of his Foot beyond *Owſe*, was as late as they before he had fully drawn up, but between two and three a Clock both Armies were pretty well formed.

The Prince with the Forces drawn out of the City, had in the Field in all ſome fourteen thouſand Foot, and nine thouſand Horſe, and about twenty five Pieces of Ordnance: His Highneſs himſelf led on the right Wing of Horſe, which had in it twelve Diviſions, conſiſting of a hundred Troops, and might be five thouſand Men. Their left Wing of Horſe was Commanded by Sir *Charles Lucas* and Collonel *Hurry*; but who Commanded their main Body, whether General *Goring*, or Major General *Porter*, or Major General *Tyliard*, or all of them, I have not been able to learn: Nor do I find what particular Charge the Marqueſs of *Newcaſtle* had this day in the Field, tho' 'tis certain he was Engaged very Valiantly in the Battel.

On the other ſide, the three Conjoyned Armies (by reaſon of the Parties they had ſent forth, as into *Lancaſhire* under Sir *John Meldrum*, &c. which were not yet return'd, and the Men they had loſt in this tedious Siege) were ſo much reduced, that they did not exceed the Princes in Number, but in that reſpect both Armies ſeemed pretty equal. Their *Right Wing* of Horſe was Commanded by Sir *Thomas Fairfax*, conſiſting of eighty Troops, being his own, and part of the *Scotch* Horſe: Next, in the *main Battalia*, was the Lord *Fairfax*, Commanding the Foot towards the Right Wing, conſiſting of all his own Infantry, and two Brigades of *Scots* for a Reſerve: And towards the left, General *Leven* with the reſt of the *Scotiſh* Foot, and two Brigades of the Earl of *Mancheſter's*, with ſix Regiments of *Scots*, and one of *Mancheſter's* Brigades for a Reſerve. The *Left Wing* of their Horſe was Commanded by *Mancheſter*, and his Lieutenant General *Cromwel*, conſiſting of the Earls whole Cavalry, and three Regiments of the *Scotiſh* Horſe, under Major General *Leſhley*, making in all about ſeventy Troops. The Princes Army extended in the Front ſomewhat further than theirs, and therefore on their left hand to ſecure the Flank, were placed the *Scotiſh* Dragoons, under the Command of Collonel *Frizel*.

The *Field word* given by the Prince was *God and the King*; by the other Party, *God with Us*. The great Ordnance on both ſides began to play about three of the Clock, but without doing any conſiderable Execution on either part. All things being ready about five a Clock, there was a general Silence on each ſide, expecting who

An. 1644. who ſhould begin the Charge; for that there was a ſmall Ditch and a Bank between the two Armies, (tho' they had drawn up their Wings within Muſquet-ſhot) which either ſide muſt paſs if they would Charge the other, which would be a diſadvantage, and apt to diſorder them that ſhould firſt attempt it. In this Poſture they continued a conſiderable time, ſo that on each ſide it was believed there would be no Action that Night; but about ſeven a Clock in the Evening the Parliaments Generals reſolv'd to fall on, and then the *Signal* being given, the Earl of *Mancheſter*'s Foot, and the *Scots* of the *Main-Body* advanced in a running March, ſoon made their way over the Ditch, and gave a ſmart Charge.

The Front Diviſions of Horſe mutually Charged and particularly, the reſpective oppoſite right and left Wings meeting. The firſt Diviſion of Prince *Rupert*'s advanc'd, and with them his Highneſs in Perſon Charged *Cromwell*'s Diviſion of three hundred Horſe, in which he was in Perſon, and very hard put to it, being Charged by Prince *Rupert*'s braveſt Men, both in Front and Flank, and ſtood at Swords Point a pretty while hacking one another: But at laſt *Cromwell* broke through, and at the ſame time the reſt of his Horſe of that Wing, and Major General *Leſhley*'s Regiments (who behaved themſelves very well) had wholly broken all *that Right Wing* of the Princes, and were in the Chaſe of them beyond their left Wing: And the Earl of *Mancheſter*'s Foot on the right hand of them, went on by their ſide almoſt as faſt as they, diſperſing and cutting down his Foot. The Marqueſs of *Newcaſtle*'s Regiment of *White Coats* were almoſt wholly cut off, for they ſcorn'd to fly, and were ſlain in *Rank and File*, and the reſt of that part of their Army which eſcaped killing or being taken Priſoners, fled in confuſion towards *York*.

But the Princes left Wing led by Collonel *Hurry*, had better ſucceſs, and did as much to the Parliaments right; for though Sir *Thomas Fairfax*, with Collonel *Lambert*, and five or ſix Troops Charged through them, and went to their own Left Wing, the reſt of his Troops were defeated: And the Lord *Fairfax*'s Brigade being furiouſly aſſaulted, and at the ſame time diſordered by ſome of Sir *Thomas Fairfax*'s New raiſed Regiments, who wheeled about, and being hotly purſued, flying back upon them, and the Reſerve of *Scotiſh* Foot broke them wholly, and trod many of them under foot; ſo that their Right Wing, and part of their main Body were routed, and fled out of the Field ſeveral Miles towards *Tadcaſter* and *Cawood*, giving out, that all was loſt.

Things being in this Condition, the Royaliſts purſuing, and juſt ready to ſeize all the Carriages, *Cromwell* with his Horſe, and *Mancheſter*'s Foot came back from the Chaſe of the Princes Right Wing, and perceiving their Friends in the mean time thus worſted, advanced in good Order to a ſecond Charge with all the Princes Horſe and Foot that had thus diſordered their Right Wing and main Battel, who ſeeing their Approach, gave over the Purſuit, and prepared to receive them; both ſides being not a little ſurpriz'd to ſee they muſt fight it over again for that Victory which each thought they had already gain'd. However, the Royaliſts marched with great reſolution down the Corn-field, the Face of the Battel being exactly counter-chang'd; for now the King's Forces ſtood on the ſame ground, and with the ſame Front that the Parliaments Right Wing before ſtood to receive their Charge: And the

20 *Caroli.*

the Parliaments Forces in the ſame ground, and with the ſame Front as the Kings did when the Fight began.

The Battel thus renewed grew very deſperate, but in fine, after the utmoſt Efforts of Strength and Courage on either ſide, Victory wholly enclined to the Parliaments Forces, who before Ten of the Clock had cleared the Field, and not only recovered their own Ordnance and Carriages which were in ſo much danger, but took all the Princes Train of Artillery that he brought into the Field, and followed the Chaſe with great ſlaughter within a Mile of *York*.

There were taken Priſoners of Note, Sir *Charles Lucas*, Lieutenant General of the Marqueſs of *Newcaſtle*'s Horſe, Major General *Porter*, Major General *Tilyard*, and the Lord *Goring*'s Son, and near an hundred other Officers, fifteen hundred Common Souldiers, twenty five Pieces of Ordnance, one hundred and thirty Barrels of Powder, ſeveral thouſand Arms, and, as was computed, about an hundred Colours; for which though there was a Proclamation made to bring them in to the Generals, yet the Soldiers had already torn to pieces moſt of them, delighting to wear the Shreds in their Hats: Some of them ſent up to the Parliament by Captain *Stewart*, were,

Prince Rupert's *Standard, with the Arms of the Palatine, near five Yards long and broad, with a Red Croſs in the middle.*

A Black Coronet, with a Black and Yellow Fringe, and a Sword brandiſht from the Clouds; with this Motto — Terribilis ut Acies ordinata.

A Willow Green, with the Portraicture of a Man holding in one hand a Knot, in the other a Sword, and this Word — This ſhall untye it. *Another Coloured, with a Face, and this Motto,* Aut Mors, aut Vita decora.

A Yellow Coronet, in its middle a Lyon couchant, and behind him a Maſtiff ſeeming to ſnatch at him, and in a Label from his Mouth written Kimbolton; *at his Feet little Beagles, and before their Mouths written* — Pym, Pym, Pym; *and out of the Lyon's Mouth theſe words proceeding* — Quouſque tandem abutêre patientiâ noſtrâ?

There was alſo taken the Marqueſs of *Newcaſtle*'s Cabinet and Papers, and amongſt them (as was ſaid) certain Letters written to him by Sir *John Hotham*, and his Excellencies Commiſſion from the King, Conſtituting him General of all the Forces raiſed and to be raiſed North of *Trent*, and of ſeveral Eaſtern Counties, and impowering him to Conferr the Honour of *Knighthood* upon ſuch Perſons as he ſhould conceive deſerved it, (which Priviledge he had exercis'd, and made in all the Number of twelve Knights:) As alſo to Coyn Money, and Print whenſoever he ſaw occaſion for it, which Letters and Commiſſion were ſent up to the Parliament.

Touching the Numbers ſlain on either ſide in this Battel, the ſame is uncertain; the Countrey-men (who were Commanded to Bury the Corps) gave out, That they interr'd four thouſand, one hundred and fifty Bodies. It was generally reported that at leaſt three thouſand of the Princes Men were kill'd: But the Parliament-party would not acknowledge in all their three Armies above three hundred ſlain.

An. 1644.

A LETTER to *The Committee of both Kingdoms.*

A Letter from the three Generals and the Committee, with the Armies, to the Committee of both Kingdoms, *July* 5. 1644.

Right Honourable,

SInce our laſt to your Lordſhips, the Condition of Our Affairs is not a little changed; for on Monday *laſt, upon Notice of Prince* Rupert's *marching from* Knaresbrough *towards us, We reſolved, and accordingly drew out the Armies to have met him, and for that end did march that ſame Night to* Long Marſton-Moor, *about four Miles off the Weſt-ſide of* York; *but he having Notice thereof, did paſs with his Army at* Burrough-bridge, *and ſo put the River of* Ouſe *between him and Us, whereby we were diſenabled to Oppoſe his paſſage into* York, *the Bridge we built on the Weſt ſide of the Town being ſo weak, that we durſt not adventure to Tranſport our Armies upon it: This made us reſolve the next Morning to march to* Tadcaſter, *for ſtopping of his Paſſage Southward: And the Armies being ſo far on their way, as the Van was within a Mile of it, Notice was ſent to us by our Horſe-men, who were upon our Rear, that the Prince's Army, Horſe and Foot, were advanced the length of* Long Marſton-Moor, *and was ready to fall upon them: Whereupon we recall'd the Army, and drew them up on a Corn-Hill, upon the South-ſide of the Moor, in the beſt way we could, ſo far as the ſtraitneſs of the Fields, and other Diſadvantages of the place could permit. Before both Armies were in a readineſs, it was ſeven a Clock at Night, about which time they advanced the one to the other, whereupon followed a very hot Encounter for the ſpace of three hours, whereof (by the great Bleſſing and good Providence of God) the Iſſue was, the total routing of the Enemies Army, the loſs of all their Ordnance to the Number of Twenty, their Ammunition and Baggage, about a hundred Colours, and ten thouſand Arms; there were killed upon the place about three thouſand of them, whereof many are Chief Officers; and fifteen hundred Priſoners taken, amongſt whom there were above a hundred Officers, in which Number is Sir* Charles Lucas, *Lieutenant General to the Marqueſs of* Newcaſtle's *Horſe, Major General* Porter, *and Major General* Tillier, *beſides divers Collonels, Lieutenant Collonels, and Majors.*

Our Loſs (God be praiſed) is not very great, being only of one Lieutenant Collonel, ſome few Captains, and about two or three hundred Common Souldiers. The Prince in a great Diſtraction, with a few Horſe-men and almoſt no Foot, marched the next morning from York *Northwards. We are now lying down in our old Leaguer before* York, *which we are in hopes in a few dayes to gain, and are reſolved to ſend a great part of Our Cavalry after Prince* Rupert. *We having nothing to add, but as the Glory of all the Succeſs belongeth unto God, and the Benefit, we hope, ſhall redound to the whole Kingdom: We have appointed this next Sabbath for a Day of Publick Thankſgiving throughout the Armies, ſo your Lordſhips would Appoint a day for the ſame, to be kept throughout the Kingdom, and Notice ſent to us thereof, that we may all together joyn in it, and we ſhall continue*

Your Lordſhips moſt Affectionate Friends and Servants,

Leven.

Lyndſay, *Fairfax.*

Tho. Hatcher. *Mancheſter.*

From the Leaguer before York,
5 July, 1644.

Cromwell,

20 *Caroli.*

Cromwell who was acknowledged by all to be a great Agent in this Victory, was wounded in the Neck, but not dangerously, Sir *Thomas Fairfax* carried himself with great Bravery, and being unhors'd and flung on the ground, and wounded in the Head and Face, was Relieved and carried off by a Party of his own Horse. On the King's side abundance of Gentlemen expressed wonderful Courage, and Charged with as much Resolution as could be expected from Men; insomuch that it was then confidently reported Prince *Rupert* should say — *I am sure my Men fought well, and know no Reason of our Rout, but this, Because the Devil did help his Servants.*

The very next Morning after the Battel, the Marquess of *Newcastle* took a Resolution to forsake the Kingdom, and therefore taking Leave of the Prince, went out of *York*, Conducted by a Troop of Horse and Dragoons to *Scarborough*, where two Ships being ready to set Sail for *Hamburgh*, he Embarqued himself and his Company therein, having with him his two Sons (*Charles* Viscount *Mansfield*, and *Henry* Lord *Cavendish*) his Brother Sir *Charles Cavendish*, Dr. *Bramhall* Bishop of *London-Derry*, the Lord *Falconbridge*, the Lord *Widrington*, the Earl of *Elthyne* Lieutenant General of his Army, the Lord *Cornworth*, and Sir *William Carnaby*, and in four dayes time arrived at *Hamburgh*, *viz.* on the 8*th.* of *July*; and the Marquess came no more into *England* 'till the miraculous Restauration of King *Charles* the Second.

Likewise Prince *Rupert* on the *Wednesday*, next day after the Battel, leaving Sir *Thomas Glemham* Governour of *York*, drew out what Forces he could rally together to a Rendezvouz about *Burrough-briggs*, twelve Miles North of *York*, and attended the coming up of Collonel *Clavering* and his Forces, and afterwards marched into *Lancashire*.

The Parliaments Armies kept the Field that Night they fought, and were Quartered in Villages thereabouts next day, to refresh themselves; but on *Thursday* the 4*th.* of *July* drew down to their old Leaguer before *York*, and towards Night *Summon'd* the Town to Surrender upon Mercy, whereunto Answer was return'd by Sir *Tho. Glemham* and the Maior, *That they could not yield it up upon such Terms*; so the Soldiers went vigorously on with their Attacques and Batteries. On *Sunday* the 7*th.* of *July*, was throughout the whole Army a Publick Thanksgiving for their late Success: And upon *Thursday* the 11*th.* of *July* having made their Approaches almost up to the very Walls, prepared their Ladders and all things requisite for *Storming*: The Besieged desired a Treaty, whereupon on *Saturday*-morning Sir *William Constable* and Collonel *Lambert*, upon Hostages given for their security and safe return, were sent into the City, who having spent that day in Parley, returned with Request to the three Generals, that Commissioners might be Authorized to Treat and Conclude upon Articles for the peaceable Surrender of the City, who appointed the Lord *Humebee*, Sir *William Constable*, Sir *Adam Hepborn*, and Collonel *Montague*, who having concluded, on *Munday* about Noon came back with the Articles to be Signed by the Generals, being as followeth.

An. 1644.

The Articles agreed upon for the Surrender of *York*, *July* 15. 1644.

ARTICLES *agreed upon between* Alexander *Earl of* Leven, *General of the* Scotiſh *Forces*, Ferdinando *Lord* Fairfax, *and the Earl of* Mancheſter, *Generals of the* Engliſh *Forces about* York, *on the one part*: *And Sir* Thomas Glemham, *Knight*, *Governour of the City of* York, *and Collonel General of the Northern Army*, *of the other part*; *Anent the Surrender and Delivery of the ſaid City*, *with the Forts*, *Towers*, *Cannon*, *Ammunition and Furniture of War belonging thereunto*, *in manner after ſpecified*, *to the ſaid Generals*, *for the Uſe of the King and Parliament*, *the* 15th. *Day of* July, 1644.

I.

THe ſaid Sir *Thomas*, as Governour of the ſaid City, ſhall Surrender and Deliver up the ſame, with the Forts, Tower, Ammunition and Furniture of War belonging thereunto, between this and the *16th.* of *July* inſtant, at or about the Eleventh Hour thereof in the Forenoon, to the ſaid Generals, or any in their Names, for the Uſe aforeſaid, in Manner and upon the Conditions after-written.

II.

That the Governour, and all Officers and Souldiers, both Horſe and Foot; the Governours, Officers and Souldiers of *Cliffords-Tower*, the Officers and Souldiers of the Sconce, the Officers and Souldiers belonging to the Train and Outworks, ſhall march out of the City on Horſe-back, and with their Arms, Flying Colours, Drums beating, Matches lighted on both ends, Bullets in their mouths, and with all their Bagg and Baggage, that every Souldier ſhall have twelve Charges of Powder.

III.

That the Officers and Souldiers ſhall not march above Ten Miles a day; That they have Accommodation of Quarter and Convenience of Carriages; that a Troop of Horſe out of every of the Three Armies ſhall attend upon them for their Convoy in their March (that no Injury or Affront be offered them) to *Skipton*, or the next Garriſon-Town within ſixteen Miles of the Prince's Army.

IV.

That ſuch Officers and Souldiers as are ſick and hurt, and cannot march out of the Town, ſhall have Liberty to ſtay within, until they be recovered, and then ſhall have Paſſes given them to go into the Prince's Army, wherever it ſhall be, or to their own Houſes and Eſtates, where they may reſt quiet, or whither elſe they ſhall pleaſe: That it may be Recommended to my Lord *Fairfax* for their Subſiſtence during their Cure or being ill.

V.

All Officers and Souldiers [illegible]es, Children and Servants, now in

20 *Caroli.*

in Town, may have Liberty to go along with their Husbands, or to them; or if they pleaſe to return to their own Houſes and Eſtates, to enjoy them under ſuch Contributions as the reſt of the Countrey payes: That they may have Liberty to carry with them their Goods, and have a convenient time, and Carriages allowed to carry them away.

VI.

That no Officer or Souldier ſhall be ſtopt or plundered upon his March.

VII.

That no Man ſhall intice any Officer or Souldier as he marches out of the Town with any Promiſes of Preferment or Reward, or any other grounds whatſoever.

VIII.

That the Citizens and Inhabitants may enjoy all their Priviledges which formerly they did at the beginning of theſe Troubles, and may have freedom of Trade both by Land and Sea, paying ſuch Duties and Cuſtoms as all other Cities and Towns under the Obedience of the King and Parliament.

IX.

That the Garriſon that ſhall be placed here ſhall be two parts of three at the leaſt of *Yorkſhire-men*; and no Free-Quarter ſhall be put upon any without his own Conſent, and that the Armies ſhall not Enter the City.

X.

That in all Charges, the Citizens reſident and Inhabitants ſhall bear ſuch part with the County at large as was formerly uſed in all other Aſſeſſments.

XI.

That all Citizens, Gentlemen and Reſidents, Sojourners and every other Perſon within the City, ſhall at any time when they pleaſe have free Liberty to remove themſelves, their Families and Goods, and to diſpoſe thereof, and of their Eſtates at their pleaſure, according to the Law of the Land, either to live at their own Houſes or elſewhere; and to enjoy their Goods and Eſtates without moleſtation, and to have Protection and Safeguard for that purpoſe, ſo that they may reſt quietly at their abode, or Travel freely and ſafely on their Occaſions; and for their better removal they ſhall be furniſhed with Carriages, paying for their Carriages reaſonable Rates.

XII.

That all thoſe Gentlemen and others whatſoever, that have Goods within the City, and are abſent themſelves, may have free Liberty to take, carry away, and diſpoſe of thoſe Goods as in the laſt Article.

XIII. That

An. 1644.

XIII.

That neither Churches, nor other Buildings be defaced, nor any plundering, or taking of any Man's Perſon, or any part of his Eſtate; and that Juſtice according to Law, within the City ſhall be Adminiſtred in all Caſes by the Magiſtrates, and be aſſiſted therein, if need be, by the Garriſon.

XIV.

That all Perſons whoſe Dwellings are in the City, tho' now abſent, may have the Benefit of theſe Articles, as if they were preſent in the City.

THO. GLEMHAM.

But before the Generals Signed and returned a Counter-part of theſe Articles, they added the Explanation following.

An additional Explanation of the Articles.

BY the Articles of Agreement touching the Rendition of the City of York, *the Generals of the Armies have Treated as Generals in reference only to themſelves and their Souldiers, and it was not intended to Entrench upon any Ordinances of Parliament; but all ſuch Perſons and Eſtates as were ſubject to Sequeſtrations, might ſtill be liable and ſubject thereunto, notwithſtanding any general words in the Articles: And thus theſe Generals do declare under their Hands. And the Commiſſioners of the Treaty do declare, that they did ſeveral times during the Treaty expreſs to the other Commiſſioners, that they had no Order to meddle with any Ordinance of Parliament, or to go further than the bounds of the Army: ſubſcribed by*

Ferd. Fairfax. Mancheſter.
Adam Hepborne.
Lord Humebee.
Will. Conſtable.

York Surrendred *July* the 16*th.*

Accordingly on *Tueſday*, the 16*th.* of *July*, the Forces in the City marched forth, the Beſiegers being drawn up on both ſides the way for the ſpace of a Mile from *Michael-Gate*, for them to paſs through between them; they were in Number about a thouſand, beſides Sick and Wounded. Then the three Generals went together into the City, directly to the *Minſter-Church*, where a Pſalm was ſung, and Thanks returned to God by Mr. *Robert Douglas*, the Earl of *Leven*'s Chaplain; and *Thurſday* following appointed to be kept ſolemnly by the whole Army as a Day of Thankſgiving.

Some of *Mancheſter*'s Troopers Pillage, contrary to Articles.

But the Forces that went out of *York* paſſing the next day through the Horſe-Quarters of *Mancheſter*'s Army, ſome of the Troopers fell upon their Carts and Waggons, and took away Cloths, Plate and Money, contrary to Articles; of which the Generals having Notice, expreſs'd themſelves much Offended; and *Mancheſter* having uſed divers means to diſcover the Offenders and Goods, that they might be reſtored, cauſed the following Declararation to be Publiſht in the Head of every Troop of Horſe under his Command.

20 *Caroli.*

A DECLARARATION Publiſht by the Earl of *Mancheſter.*

A Declaration againſt them, Commanding Reſtitution.

BEing informed that divers Souldiers and Troopers under my Command, did plunder divers Waggons and Carriages belonging to the Enemy, when they came out of York, *and were by the Generals Articled with, to have ſafe Conduct for their Perſons, Arms and Baggage. And forasmuch as endeavours having been uſed to diſcover in whoſe Hands the Goods ſo plundered are, the Succeſs is without any conſiderable Effect hitherto; I do hereby Declare that if any Perſon who hath had a Hand in this Action ſo much to be abhorred by all honeſt Men, (being a breach of Faith, which being once given, ought by all profeſſing Chriſtianity inviolably to be obſerved) and ſhall out of a true Remorſe for their Offence, within two dayes after publication hereof, bring into the hands of the ſeveral Captains reſpectively of his or their ſaid Troops reſpectively to which he or they belong, all ſuch Money, Plate, Horſe, Arms, or other Goods ſo taken as aforeſaid, they ſhall be freed from Puniſhment for ſuch his or their Offence. But if any Trooper or other Souldier ſhall through Obſtinacy, wickedly detain any of the things before mentioned beyond the time hereby limited for them to be brought in; or ſhall not at leaſt acquaint his Captain, Lieutenant, or other Officer, with his Reſolution ſo to do, in Caſe the ſaid Goods be not now in his or their hands, and by reaſon thereof cannot be reſtored within the time appointed; the ſaid Perſon or Perſons ſo offending, ſhall expect no Favour or Mercy at all, but the uttermoſt ſeverity, being Death by the Articles of War, Publiſhed by his Excellency the Earl of* Eſſex *in that behalf. Given under my Hand* 25. July. 1644.

MANCHESTER.

York being thus Surrendered, the three Armies thought fit to ſeparate, and upon Conſultation between the Generals and the Parliaments Commiſſioners, it was agreed,

How the three Armies diſpoſe of themſelves.

1. That the Lord *Fairfax* ſhould remain at *York*, as Governour of that City, and ſend a thouſand Horſe into *Lancaſhire*, to joyn with the Forces of that County, and of *Cheſhire* and *Derbyſhire*, to attend the Motions of Prince *Rupert*, who was marched that way, and endeavour the reducing of *Leverpool*, and with the reſt of his Forces to ſecure the County of *York*.

2. That the *Scotiſh* Army ſhould march Northward, to joyn with the Earl of *Calendar*, who was advancing with additional Forces, and to reduce *Newcaſtle*.

3. That the Earl of *Mancheſter* ſhould march towards *Lincolnſhire*, and recruit his Army from his own Aſſociation.

Mancheſter's marches.

Accordingly on *Saturday* the 20*th* of *July*, the Earl of *Mancheſter* advanced Southward, and quarter'd his Foot that Night and *Sunday* at *Tadcaſter*, and on *Munday* marched to *Ferry-briggs*, and paſs'd near *Pontefract-Caſtle*, (a ſtrong Garriſon of the Kings) but being only upon a March, did not think fit to ſet down before it. *Tueſday* the 23*d*. he came to *Doncaſter*, and from thence ſent a Party under Lieutenant Collonel *John Lilburn* to take in *Tickhill-Caſtle* about five Miles

An. 1644. Miles from thence; which being Summon'd, desired a Parley, and sent Commissioners to his Lordships Quarters at *Doncaster*, where it was agreed the Castle should be Surrendred on the *26th.* with all the Arms, Ordnance, Colours, Drums, and Provisions: The Governour, Officers and Souldiers to pass quietly to their homes unplundered and not molested. The Governour and Officers only to go out with their Horses, Swords and Pistols; and the same was Surrendred accordingly: There being found one Iron Piece mounted, one hundred Musquets, sixteen Horse and Arms, a hundred quarters of Grain, many Barrels of Butter, some Beasts and Sheep, and other Provisions: But the Lord *Manchester* gave the Commanders several Horses to carry away their Baggage, and each of their Wives an Horse to ride on.

Aug. 1. The Earl from *Doncaster* sent Major General *Craford*, and part of his Forces, *viz.* twelve Hundred Foot, and a Regiment of Horse, to *Sheffield*, where in the Castle was a Garrison of the King's, a place of considerable strength, both for natural Scituation and Fortifications, for it stood in a Triangle of two Rivers, the Water deep on the West and East-sides, a strong Fort before the Gate Pallisado'd, a Trench twelve Foot deep and eighteen Foot broad about the Fort, and the other parts of the Castle, and a Breast-work Pallisado'd within the Trench, betwixt it and the Castle. The People of *Sheffield* were generally favouring the Parliaments Party, and therefore entertain'd their Souldiers very kindly, and assisted them in casting up their Works against the Castle; which standing out very resolutely, they were forced to send to *York* for an Iron Demicannon, and that great Piece commonly call'd *The Queens Pocket-Pistol*; which being brought up, they therewith Battered it so violently, that the Governour on the *10th.* of *August* thought fit to Parley, and at last agreed on the following Articles.

ARTICLES *of Agreement between the Commanders Authorized by Major General* Craford, *and Major* Thomas Beamont, *Governour of* Sheffield-Castle, *for Surrendring the said Castle to the Right Honourable the Earl of* Manchester, *upon the Conditions following.*

I.

Articles for Surrendring *Sheffield-Castle*, *Aug.* 10th.

THat the Castle of *Sheffield*, with all their Fire-Arms, Ordnance and Ammunition, and all other Furniture of War, with all other Provisions therein (except what is allow'd in the following Articles) be delivered up to Major General *Craford*, to Morrow in the Afternoon by Three of the Clock, being the *11th.* of this instant *August*, without any Diminution or Embezlement.

II.

That the Governour and all Field-Officers, Captains, Lieutenants, and Ensigns, shall march out of the Castle upon the Delivery thereof, with their Drums and Colours, and each his own Horse, Saddle, Sword and Pistols, to *Pontefract-Castle*, or such other Place as they shall desire, with a sufficient Convoy or Pass for their Security; and the Common Souldiers with the inferiour Officers to march out with their Swords and Pikes, each to his own home, or where else they please.

III. That

20 *Caroli.*

III.

That all ſuch Officers and Souldiers as march out upon this Agreement, ſhall have Liberty to carry with them their Wives, Children and Servants, with their own Goods properly belonging to them, and have all convenient Accommodation for carrying the ſame.

IV.

That the Lady *Savile*, with her Children and Family with her, and their own proper Goods, ſhall and may paſs with Coaches, Horſes and Waggons to *Thome-hill*, or elſewhere, with a ſufficient Guard befiting the Quality of her Perſon, without Injury to any of their Perſons, or Plundering any of their Goods: Or otherwiſe ſhe or they, or any of them to go or ſtay at their own pleaſure, until ſhe or they be in a Condition to remove themſelves.

V.

That the Gentlemen in the Caſtle being no Souldiers, ſhall march out with each his own Horſe, Saddle, Sword and Piſtols, and ſhall have Liberty to remove their Goods, and to live at their own Houſes or elſewhere, without moleſtation, they Conforming themſelves to all Ordinances of Parliament: And that they ſhall have Protections from the Earl of *Mancheſter* or Lord *Fairfax* for the ſame, and all Officers and Souldiers who deſire to lay down Arms ſhall enjoy the ſame Protection.

VI.

That the Governour, Officers, Souldiers, Gentlemen, and all others who are by this Agreement to carry their Goods with them, ſhall have ſix Weeks time for the removing of them; and in the mean time they are to be left in the Caſtle, and ſecured from Embezzling; and this Article is to be underſtood of all ſuch Goods as are at preſent either within the Caſtle, or under the abſolute Command thereof.

VII.

That *Kelme Homer* now dwelling in the Caſtle, ſhall have Liberty to remove his Goods into the Town or elſewhere, without moleſtation.

VIII.

That all Officers and Souldiers, Gentlemen and other Perſons, ſhall according to the Articles above mentioned, march out of the Caſtle, without any injury or moleſtation, by Plundering, Stripping, or otherwiſe.

IX.

That Hoſtages (ſuch as Major General *Craford* ſhall approve) be delivered by the Governour upon Signing theſe Articles, for the Delivery up of the Caſtle and ſafe Return of the Convoy, which Hoſtages ſhall be returned ſafe, upon the Performance thereof, unto ſuch Places as they ſhall deſire.

Signed by us the Commiſſioners Authorized by Major General Craford, *at* Sheffield, *this* 10th. *day of* Auguſt, 1644.

J. Pickering.
Mark Grime.
Will. Hamilton.

Signed by us the Commiſſioners Authorized by Major Tho. Beamont, *Governour of* Sheffield-Caſtle, *at* Sheffield, *this* 10th. *Day of* Auguſt, 1644.

Gabriel Hemſworth.
Samuel Savile.
Tho. Robſon.

An. 1644.

Next day the Lady *Savile* with her Retinue marched forth of the Caſtle, with her Coach to *Woodhouſe*, having a Convoy thither. The Governour alſo marcht out with about two hundred Souldiers. The Booty got in this Caſtle was ſome Hundreds of Granadoes, a great quantity of round ſhot from the Cannon to the Minion, ten Barrels of Powder, eight Iron Pieces, two Mortar-pieces, five hundred Arms, and ſuch abundance of Proviſion, that the ſame was ſold to the Town of *Sheffield* for two hundred and fifty Pound for the Uſe of the Army.

Col. *Fretchwell's* Houſe Surrendered *Aug.* 12.

Aug. 12. *Craford* Summon'd Collonel *Fretchwell's* Houſe, and obtained it to be Surrendered without Blows, where he got eleven Iron Guns, three hundred Arms, and a conſiderable Quantity of Powder, and that the Collonel ſhould ſlight his Works which were very ſtrong.

Balſover-Caſtle Surrendered *Aug.* 14.

On the 14*th.* he drew his Forces before *Balſoever-Caſtle*, and began to Erect his Batteries, but was prevented by the coming of a Drum from the Caſtle for a Parley, which concluded in *Articles of Surrender: That Major *Edward Muſchamp* the Governour, ſhould the next day *Surrender the Caſtle with all Fire-Arms, Ordnance, Ammunition, Furniture of War and Proviſions: The Governour, Officers and Gentlemen to march out with Drums and Colours, Horſes, Swords and Piſtols; Troopers with Swords and Horſes; Common Souldiers with Swords and Pykes; and to carry with them their own proper Goods.* They were Convoy'd to *Newark*, but the Governour ſtraying from his Convoy, was Pillaged of all; whereupon Collonel *Pickering* gave him Arms and Horſe befitting his quality, and ſent him with a Guard to the Convoy. In this Caſtle were found ſix Pieces of Ordnance, three hundred Fire-Arms, ten Barrels of Powder, Match and Bullet proportionable, but little Proviſion.

Wingfield-Mannor yielded *Aug.* 21th.

Their next Attempt was upon *Wingfield-Mannour*, a ſtrong Houſe in *Derbyſhire*, where they found Sir *John Gell* lying before it, with about five hundred Foot and ſix hundred Horſe, and having joyned their Forces, and placed their great Ordnance with his Braſs and Iron Culverings, after they had play'd ſome time, and made a Breach, *Craford* Summoned the Caſtle, which was on the 21*ſt.* of *Auguſt* Surrendered by Collonel *Molineux* the Governour, upon Articles much the ſame as thoſe of *Sheffield*. In the Place were five hundred Arms, four Barrels of Powder, eight Pieces of Ordnance, and a good quantity of Proviſion.

Welbeck-Houſe Surrendered to *Mancheſter*, *Aug.* 2d.

Whilſt theſe things were a doing by Major General *Craford*, the Earl of *Mancheſter* himſelf Summon'd *Welbeck-Houſe* in *Nottinghamſhire* (the Manſion-Habitation of the Marqueſs of *Newcaſtle*) which was Surrendred, and in it eight Pieces of Ordnance, two hundred Muſquets, and Store of Match and Bullet. The Care of the Houſe was left to Collonel *Thorney*, but the Marqueſs of *Newcaſtle's* Daughters, the Lord *Witherington's* Children and others were ſuffered to continue there.

On *Sunday* the 4*th.* of *Auguſt*, ſome Troops of the Earls being Quartered at *Tuxford in the Clay*, within Ten Miles of *Newark*, Collonel *Eyre* with about two hundred or three hundred Horſe marched from *Newark* in the Night through the Forreſt, and avoiding their Out-guard, being two Troops which ſtood two Miles from *Tuxford* towards *Newark*, by marching a private way, ſuddenly beat up their Quarters at *Tuxford*, kill'd a Lieutenant and a Quarter-maſter, and ſome Common Troopers, and carried away eight Priſoners and ſome Horſes.

On

20 *Caroli.*

On *Monday*, *Aug.* the 5*th*. *Manchester* drew his Army to *Gainsborough*, twelve Miles from *Lincoln*, and Quarter'd his Foot there and in the Towns thereabouts, but himself rod to *Lincoln*; and *Crafford* and his Party returning out of *Derbyshire* towards the end of that Month, came also to *Gainsborough* and parts adjacent.

The *Scots* Marches and Actions after the taking of *York*.

General *Leven* taking his March from *York* towards *Newcastle* on the first of *August*; sent away Major General *Leshley* with three Regiments of Horse, and one Regiment of Dragoons before, to joyn with and assist the Earl of *Calendar* (who was some time since entred *England* with a Reserve of ten thousand *Scots*) 'till such time as he might come up with the Body of his Army. That Earl having taken *Hartlepool* and *Stockton*, advanced to *Newcastle* on the 26*th*. of *July*, and endeavoured to possess himself of *Gate-side*, and many Skirmishes pass'd thereupon between his Forces and those of the Town, but at last he made himself Master of it, and so blockt up the Town on that side. About the 10*th*. of *August*, General *Leven* came up with his Army, and passing the *Tyne*, set down on the North-side of the Town, which was now closely Besieged, and three thousand Countrey-men summon'd to bring in Mattocks, Spades and Shovels, and labour in the Trenches. The Town being well provided, and having a strong Garrison, held out very resolutely, as will appear by the following passages.

The Earl of *Calendar*.

To the Maior, Aldermen, Common-Council and Burgesses of the Town of *Newcastle*.

A Letter from the Committee of both Kingdoms to the Town of *Newcastle*, 7th. *Sept.* 1644.

THE Answers you have return'd to the several Letters you formerly received from those now in the Service of the King and Parliament, sufficiently manifest and declare to all the World, your evil Dispositions and Affections to their Affairs: And your Hands may one day rise up against you in Judgment, if you prevent it not. But that no honest ways or lawful means may be left unessayed for the Good of the Town, (if the Lord please to open the Eyes of the Inhabitants to see what is for his Glory and their own VVeal) VVe the Committees of both Kingdoms, have thought fit once more to invite you for your own benefit to Treat about that Love and Obedience, which you seem to say in your last to the Lord General's Excellency, you declare to all the VVorld you bear to King and Parliament. To which Tryal and Test we do now the more earnestly incite you, to the end the further Effusion of Christian Blood may be prevented, and a right understanding amongst those that seem to make Profession at least, as you do, of one and the same Ends, obtained.

And because we have seen by Experience, you have heretofore trusted to rotten Reeds and broken Staves (and peradventure some amongst you may perswade you to do so still) not trusting only to your own strength within, but also relying upon others without your VValls, who may fail you if you lean upon them, and in your greatest Confidence utterly deceive you; and by that means bring you suddenly to Ruine. Consider sadly of your present Condition, and though it should not please God to give you his Grace to do as true-hearted English-men, *Loyal and Faithful to the Crown of* England, *and the true Religion therein profess'd, ought to do; yet endeavour to acquit your selves like Rational*

An. 1644.

Men; which is the laſt Advice in this kind you are like to receive from Us,

Your Friends, if you hearken to our Advice,

Elſwick,
7th. *Sept* 1644. *Sinclare. Will. Armyne.*

Signed in the Name and by the Warrant of the Committee of both Kingdoms.

The Town hearkned not to theſe Perſwaſions, and the Siege being now much advanced, and the Mines and Batteries in readineſs, the *Scotch* General ſent them the following Summons.

General *Leven's* Summons to *Newcaſtle*, *Octob.* 14.

WE Alexander *Earl of* Leven, *Lord General of the* Scotiſh *Armies, that it may be more manifeſt, and appear to all Men, how exceedingly we deſire you to prevent thoſe Evils which cannot be longer avoided: Notwithſtanding you have been formerly invited by our ſeveral Letters in all fair manner, to think on thoſe wayes which might conduce to your welfare, Do by theſe Preſents Require and Summon you to give up and Surrender the Town of* Newcaſtle *to Us, to be kept for the Uſe of the King and Parliament: That Citizens and Souldiers may be ſafe, and the Town being preſerved from Ruine may enjoy the fruits of ſettled Peace, whereof other Towns reduced to the ſame juſt Obedience do now liberally taſte. You are likewiſe earneſtly deſired by no means to conceal this our laſt Offer and Warning from the Citizens and Souldiers, as you will be anſwerable to God, and thoſe whom it may concern. If in theſe things you fail, you may then expect the Extremities of War; and we profeſs our ſelf and the Army under our Conduct to be altogether free and innocent of whatſoever Bloodſhed and other Calamities may enſue through your Obſtinacy. Hereto we expect a preſent Anſwer. Given under my Hand at* Elſwyck *before* Newcaſtle, 14 Octob. 1644.

LEVEN.

Directed
To the Maior, Aldermen, and Common-Council of the Town of *Newcaſtle.*

The ANSWER.

My Lord,

The Towns Anſwer, *Octob.* 15th.

WE *have received your Letter, wherein you require and Summon Us to give up and Surrender the Town, as you ſay for the Uſe of King and Parliament, alleadging divers Reaſons, mixt with Threats, to move us thereunto: All which we have well weighed and conſidered; and as formerly, ſo now return this Anſwer, That we declare to you and all the World, that we keep this Town for the Uſe of his Majeſty: And that we have full Power and Authority from his Majeſty ſo to do: And if either you or any other can ſhew us better or later Warrant from his Majeſty, we will ſubmit. And although we neither dare nor will acknow-*

ledge,

ledge, that Disloyalty to our lawful King (which you call reducing to just Obedience) is the way to preserve us from Ruine, and to enjoy the fruits of a settled Peace; Yet that you and all the World may see we desire to shun the Effusion of Christian Blood; We desire you to send Us in Writing upon what Terms and Conditions you would have us deliver up the Town, and then we shall return you a further Answer, which we hope will be satisfactory. And if this will not give you Content, proceed and prosper as your Cause requires, and let the Blood that is or shall be spilt, lye upon their Souls and Consciences that deserve it: And if we be in the fault, let this Subscribed under our Hands Testifie against us:

20 *Caroli.*

Octob. 15*th.* 1644.

John Marlay, *Maior.*
Nicholas Gole, *&c.*

Subscribed in all by thirty Persons of Note.

To this the same day *Leven* return'd an Answer, desiring that Hostages might be sent from either side, and some appointed to Treat touching Terms and Conditions: To which Sir *John Marlay* and the rest; *Octob.* 16. reply, That as to sending Hostages, they do not hold they have Power as Maior, Aldermen and Common-Council, but solely to be in Mr. Maior, as he is Governour of the Military Affairs. Whereupon the same day *Leven* address'd a Letter to Sir *John Marlay*, desiring from him the Names of Hostages and Commissioners: Who *Octob.* 17. desires the Earl to Name his Commissioners first, that he might suit them as to their qualities, having no Noblemen in the Town but two of the Earls Countreymen. And after some other Letters had pass'd, the Commissioners were Named as followeth.

For the Town.	For the Besiegers
Sir *John Marlay*, Kt. and Governour.	Sir *Adam Hepburn.*
Sir *Nicholas Cole*, Knight Baronet.	Sir *David Hume.*
Sir *George Baker*, Knight.	*John Rutherford.*
&	&
A Secretary.	A Secretary.

Names of Commissioners to Treat.

These met in the Town, and after three or four hours Debate, finding the Governour very high, concluded on Nothing: But after their return, the Commissioners for the Town sent the Earl of *Leven* this Letter.

My Lord,

WE have had some Discourse this day with your Commissioners; but you have bound them to have our Answers to your Demands in so short a time, as we could not give them that satisfaction as we would gladly, considering they demanded that which was not according to your Propositions; namely, his Majesties Honour and the Welfare of Newcastle. *But we are so unwilling to see Christian Blood shed, as that if you please to rest satisfied 'till* Munday, *we shall then, God willing, send*

The Towns Letter to *Leven*, 18 *Octob.*

An. 1644.

ſend you ſuch Propoſitions as we hope will give Content. If this will not ſerve, we truſt God will deliver us out of your hands, and ſo we reſt

Newcaſtle, *October* 18. 1644.

Your Loving Friends,

John Marlay,
Nicholas Cole.
George Baker.

To which the ſame Night *Leven* ſent this Anſwer:

Leven's Anſwer.

Right Worſhipful,

I Received your Letter this Night at Eight a Clock, wherein you ſhew that you had ſome Diſcourſe with the Commiſſioners ſent from this place, and alleadge they demanded that which was not according to my Propoſitions, namely his Majeſties Honour and the VVelfare of Newcaſtle, *and promiſe to ſend Propoſitions on* Munday *next. As your Aſſertion of the Commiſſioners Demands is more than you can make good, that they were againſt either his Majeſties Honour, or the VVelfare of the Town of* Newcaſtle, *ſo I admire how you are not aſhamed, ſtill to continue in your dilatory way, and draw on the Guilt of Innocent Blood upon your Head. You demanded a Treaty, and Commiſſioners to be ſent into* Newcaſtle, *which was accordingly granted, who expected that you ſhould have propoſed Conditions and Propoſitions to them, whereby a happy and peaceable Concluſion might have been made. And albeit you would neither Propoſe to them, nor ſuffer any thing to be put in VVriting, yet they were content ſo far to open themſelves to you, even in the particulars that could have been demanded either for the Officers or Souldiers, Townſmen or Strangers, that no better Conditions had been given to any Town reduced to Obedience of King and Parliament within* England. *This your dealing makes it too apparent that whatever your pretences be, your Intentions have not been real: Yet ſuch is my earneſt Deſire, and real Intention to ſhun the Effuſion of Chriſtian Blood, that I have cauſed to draw up ſuch Honourable Conditions as you cannot in reaſon refuſe, which I have herewith ſent you: VVhereunto if you agree, I deſire that you ſend to my Lord* Sinclair *his Quarters at* Sandgate, *to morrow being the* 19th. *of* October, *at or before ſix a Clock in the morning, four or five ſufficient Hoſtages, for delivery of the Town upon theſe Conditions, by* Monday *the* 21th. *at two a Clock in the Afternoon. And if you fail of ſending out theſe Hoſtages at the Hour appointed, I ſhall take it as a refuſal, and give up all Treaty; and in the mean time no Ceſſation until the Hoſtages come out upon the Conditions aforeſaid, whom we expect before or at Eight a Clock, or not at all: ſo I reſt*

Your Friend,

LEVEN.

Elſwick *before* Newcaſtle,
October 18.

CONDITIONS

20 *Caroli.*

CONDITIONS *whereupon the Surrender of the Town of* Newcaſtle, *the Caſtle and Forts thereof, with all the Ordnance, Ammunition, and other Warlike Furniture thereto belonging, are Demanded by his Excellency the Earl of* Leven, *Lord General of the* Scotiſh *Army, to be kept by him for the Uſe of his Majeſty and the Parliament of* England.

Earl of *Leven's* Propoſitions to the Town of *Newcaſtle.*

I.

THat the Officers and Souldiers who deſire to go out of Town, ſhall have Liberty to paſs with their Arms, Bagg and Baggage, to what place they pleaſe, the ſame not being already Beleaguer'd, and ſhall have a ſafe Convoy thither, it being within forty Miles diſtance, and ſhall be accommodate with Draughts in their March.

II.

That all Strangers, Reſidents, Sojourners or Inhabitants, who deſire to go out of Town with the aforeſaid Officers or Souldiers, ſhall have the like Liberty, Convoy and Accommodation.

III.

That ſick and hurt Souldiers ſhall have all neceſſary Accommodation until their Recovery, and ſhall have a ſafe Conduct as aforeſaid.

IV.

That the Citizens, Burgeſſes and Inhabitants ſhall have their Perſons, Houſes, Families and Goods kept from Violence, and ſhall have the ſame free Liberty of Trade and Commerce as any other Town reduced to the Obedience of the King and Parliament.

V.

That their Priviledges, Liberties and Juriſdiction, ſhall be preſerved inviolate, Conform to their Ancient Charters in manner above-written.

VI.

If any of the ſaid Citizens, Inhabitants or others preſently within the Town, ſhall deſire to go and live in their Countrey-Houſes, they ſhall have Protection and Safeguard for their Perſons and Eſtates.

VII.

That no Billet ſhall be granted upon any of the Inhabitants without their Conſent.

VIII.

The whole Army ſhall not enter the Town, but only a Competent Garriſon.

Signed,

LEVEN.

Hereunto

An. 1644.

Hereunto inſtead of Hoſtages the Governour, *&c.* the next day ſent this Anſwer.

My Lord,

The Governours Anſwer.

WE received your Letter, wherein you ſay we cannot make good, that your Commiſſioners Demands are againſt either his Majeſties Honour or the Welfare of Newcaſtle: *We will give you but one Reaſon amongſt many, whether it be for his Majeſties Honour that the Town of* Newcaſtle *ſhould be rendered to any of another Nation; nay more, if it be for the Honour of the* Engliſh *Parliament: And that it is not for our Welfare, is ſo clear as it needs no Anſwer. And whereas you ſay, you wonder we are not aſhamed to be ſo dilatory, having demanded a Treaty; We ſay, we wonder you can be ſo forgetful, knowing we have your Letter to ſhow, that the Treaty was your own motion. But for Anſwer to the reſt and to your Articles, we ſay, the Delivery of* Newcaſtle *is not of ſo ſmall moment; but if you intend as you ſay, time may well be given 'till* Munday *for giving Anſwer; for in Caſe we ſhould give Conſent to let you have this Town, there are divers more Articles than you have ſet down, both fit for us to demand and you to grant; therefore if you would ſhun* Effuſion of Blood, *as you profeſs, forbear your Acts of Hoſtility until we give you Anſwer upon* Munday, *wherein we will not fail; otherwiſe we doubt not but God will require an Account at your hands, and beſides, will keep and preſerve us from your fury; ſo expecting your Anſwer, we reſt*

Newcaſtle, 19 *Octob.* 1644.

Your Friends,

Jo. Marlay.
Nich. Cole.
G. Baker.

The ſame morning likewiſe the Governour ſent a Letter to the Lord *Sinclair*, in theſe words,

My Lord,

The Governour's Letter to the Lord *Sinolare*, queſtioning whether there were any ſuch Man as *Leven?*

I Have received divers Letters and Warrants, ſubſcribed by the Name of Leven, *but of late can hear of none that have ſeen ſuch a Man; beſides there is a ſtrong Report that he is dead, therefore to remove all ſcruples, I deſire our Drummer may deliver one Letter to himſelf. Thus wiſhing you could think on ſome other Courſe to compoſe the differences of theſe ſad diſtracted Kingdoms than by battering* Newcaſtle, *and annoying us who never wronged any of you; for if you ſeriouſly conſider, you will find that theſe Courſes will aggravate and not moderate Diſtempers; but I will refer all to your own Conſciences, and reſt*

Newcaſtle, 19 *Octob.*

Your Friend,

John Marlay.

Newcaſtle taken by the *Scots* by ſtorm, *Octob.* 19. 1644.

The *Scots* interpreted this laſt Letter (eſpecially) to be a Jeer and Affront, and therefore began to play violently upon the Walls from the ſeveral Batteries, and the ſeveral Regiments were drawn up, ſtanding to their Arms while the Breaches were in readineſs, and the Mines ſprung. About Three a Clock in the Afternoon, the Town-Garriſon by their Countermines had very near approached ſome

Chambers

Chambers where the Powder was lodged for blowing up the Walls, which being ſignified to General *Leven*, he forthwith Ordered, that Fire ſhould be given to thoſe two Mines endangered, and afterwards to maintain the Breaches carefully whilſt the general Aſſault ſhould be made from all Quarters. A little after the day failing, and the Breaches being made, tho' not ſo large and paſſable as was needful, the reſt of the Mines were fired, and the Regiments advanced all at once towards the Breaches and thoſe places of the Wall which were open'd by the Mine: But in this attempt they were excellently entertain'd by the Beſieged, who left nothing unaſſay'd to repell the Fury of the Aſſault. They play'd inceſſantly from the Caſtle upon the Breaches, and the Flanking Towers of the Walls with ſcattered Shot, and the *Scots* received a conſiderable Loſs of Souldiers and Officers of quality, yet ſtill they preſs'd on, and after two hours deſperate Diſpute upon the *Breaches*, forced their firſt Entry at the Mine ſprung on the Weſt-ſide of the Town, near to *Cloſe-gate*: But then the Horſe in the Town gave them three brave Charges, which they ſtoutly ſuſtained, and kept their ground, 'till the reſerve of that Poſt came to aſſiſt. Then they marched for the Relief of the reſt of the Breaches; and the Souldiers of the Garriſon ſeeing further reſiſtance vain, forſook the Walls, and the whole Body almoſt of the Army entring, they ſoon became Maſters of the Town: And the *Scots* at that time did much publiſh their Clemency and Kindneſs, affirming that never was Town gained by *Storm*, wherein leſs Cruelty and Inſolency, and more Mercy and Moderation in reſpect of Plunder was ſhown. 20 *Caroli.*

Upon their firſt Entry, the Governour, *Lodowick Lindeſay*, Earl *Crawford*, the Lord *Maxwell*, Doctor *Wiſhart*, and others that had been moſt reſolute for holding out the Town, betook themſelves to the Caſtle: The next day the Earl of *Leven* himſelf came into the Town, and with his Chief Officers went forthwith to the Church to give Thanks for their Succeſs; and on *Monday*-morning the Governour ſent him the following Letter from the Caſtle.

Sir *John Marlay*'s LETTER to the Earl of *Leven*.

My Lord,

Sir *John Marlay*'s Letter from the Caſtle.

ALthough you have the Fortune of War againſt me (and that I might I confeſs have had Honourable Terms from your Excellency) yet I hope your Nobleneſs will not think worſe of me, for doing my Endeavours to keep the Town, and to diſcharge the Truſt repoſed in me, having had ſtrong Reaſons ſo to do, as is known to many. And now whereas I am compell'd to betake my ſelf to this Caſtle, I ſhall deſire that I and thoſe with me, may have our Liberty and your Licenſe to ſtay, or go out of the Town with your ſafe Paſs, to his Majeſties next Garriſon which is not Beleaguer'd, with our Horſes, Piſtols and Swords, and to have fourteen dayes time to diſpatch our Journey, ſo many as pleaſe to goe. And truly, my Lord, I am yet confident to receive ſo much Favour from you, as that you will take ſuch Care of me, as that I ſhall receive no wrong from the ignoble ſpirits of the vulgar ſort, (for I doubt no other) I muſt Confeſs I cannot keep it long from you; yet I am reſolv'd rather than to be a ſpectacle of Miſery and Diſgrace to any, I will bequeath my Soul to him that gave it, and then refer my Body to be a ſpectacle of your ſeverity; but upon theſe

An. 1644.

Terms aboveſaid, I will deliver to you: And ſo intreating your Anſwer, I reſt,

From the Caſtle in *Newcaſtle*, *October* 21. 1644.

Your Friend and Servant,

John Marlay.

But General *Leven* would not allow theſe Conditions, and Sir *John* and thoſe that were with him, were forced to Surrender *upon Diſcretion*; and Sir *John* was Committed to his own Houſe, with a ſtrong Guard to defend him from the Outrages of the People; and afterwards being ſent up to the Parliament, whilſt he was in the Serjeant at Arms's hands, found means to eſcape.

A LETTER to *The Committee of both Kingdoms*, upon the taking of *Newcaſtle*.

A Letter from the Committee with the *Scotiſh* Army to the Committee of both Kingdoms, 23 *Octob.* 1644. upon the taking of *Newcaſtle*.

Right Honourable,

WE know not any better Uſe you or we can make of the great Succeſs wherewith it hath pleaſed God to Bleſs our Attempts againſt this Town, than to make it evident to the World, that Truth and Peace are the utmoſt of our Deſires and Deſigns; for this purpoſe we muſt unceſſantly renew our former deſires to you, that all other Affairs whatſoever ſet aſide, you will ſo far take to heart the ſettling of matters of Religion in the Worſhip of God and Government of his Houſe in this Kingdom, as you may in your own and our Names, become earneſt Sollicitors with the Aſſembly of Divines to put that Buſineſs to a period; and with the Parliament, that where the Foundation is laid by the Aſſembly, their Authority be not wanting for the Compleating of the Work: No greater Encouragement than this can come to the Hearts of all thoſe that are Engaged in this Cauſe with you; nor can any means be ſo powerful to remove thoſe great Prejudices raiſed againſt our Cauſe by the abundance and variety of Sectaries, Separatiſts and Schiſmaticks living amongſt us, to the great ſcandal of the Goſpel and Profeſſors thereof. This being done, we may with the greater Confidence expect a Bleſſing upon Our Endeavours for Peace: For which as no ſucceſs can alter our deſires, ſo we are confident, you are uſing all Expedition poſſible for compleating your Propoſitions thereof, that they may be diſpatched to his Majeſty, whoſe favourable Acceptance thereof is prayed for by

Newcaſtle, 23 *Octob.* 1644.

Your Affectionate Friends and Servants,

Sinclare, *J. P. D*

CHAP.

20 *Caroli.*

CHAP. XVII.

Of other Matters Military.

SECT. I.

The ſetting out of Eſſex's *and* Wallers *Army*, 1644. *The Occurrences between the King's Army and* Waller's, *'till the Skirmiſh at* Cropedy-Bridge, June 29*th.* 1644.

HAving thus given the State of Affairs in the *North*, in a continued Series, We ſhall next take a View of thoſe Actions which happened in the mean time in other parts of the Kingdom, in this Year 1644.

Which began with an Ordinance of the Lords and Commons, paſs'd *March* the 26*th.* That their Army under the immediate Command of the Earl of *Eſſex*, ſhould conſiſt of ſeven thouſand five hundred Foot, beſides Officers, (to be diſpoſed into ſeven Regiments, whereof the Generals to contain fifteen hundred men, the reſt a thouſand a piece, and every Regiment to be divided into eight Companies, and no more) and three hundred Horſe, beſides Officers, in ſix Regiments, each conſiſting of five hundred Troopers, divided into ſix Troops, the Collonels to have a hundred Troopers, and the other five Troops fourſcore apiece. And that for the maintaining of this Army and a ſuitable Train of Artillery, and other incident Charges, there ſhould be monthly raiſed and paid the Summ of thirty thouſand five hundred and four pounds out of the Exciſe, *&c.* In purſuance of which Ordinance their General, the Earl of *Eſſex*, was buſie in Recruiting and Regulating his Army accordingly, having his Head Quarters ſometimes at *Windſor*, ſometimes at St. *Albans*.

The Number and Charge of *Eſſex*'s ſtanding Army, appointed by Ordinance, *March* 26. 1644.

And by another Ordinance of the 30*th.* of *March*, reciting, That whereas the Aſſociated Counties of *Southampton*, *Suſſex*, *Surry* and *Kent*, are raiſing three hundred Foot, twelve hundred Horſe, and five hundred Dragoons, to be under the Command of Sir *William Waller*, Knight, Serjeant Major General of all the Forces (under his Excellency the Earl of *Eſſex*, Lord General) raiſed and to be raiſed in the ſaid Counties, a conſiderable part whereof, both Horſe and Foot, are already raiſed. And whereas the ſaid Counties have bought many Arms and Ammunition, and muſt buy more, and muſt be at great Charge in raiſing, maintaining and recruiting the ſaid Forces, making and erecting of Fortifications, Magazines, Courts of Guards, and other things requiſite and neceſſary for the defence and

The Number and Charge of *Waller*'s Army, raiſed in the South-Aſſociation, appointed by Ordinance, *March* 30th.

An. 1644.

and ſafety of the ſaid Aſſociation, againſt the Invaſions and Incurſions of the Enemy, it is therefore Ordained, That all the Moneys leavyed in *Hampſhire* and *Suſſex* by Virtue of the Ordinance for ſeizing and ſequeſtring the Eſtates of Papiſts and Delinquents, and two thirds of what ſhall be paid to the reſpective Treaſurers of the ſaid Counties, by them to be employed towards maintaining the forces, and defraying the Charges aforeſaid. And alſo that for the ſaid purpoſes there ſhall be weekly raiſed in the ſaid four Counties, the Summe of two Thouſand ſix Hundred thirty eight Pounds, one Shilling and ſix Pence, by ſuch proportions and in ſuch manner as therein is mentioned, to be applyed only to the ſervice and maintenance of the Forces of the ſaid Counties reſpectively.

The Lord *Hopton* deſigns to break into *Suſſex* and *Kent*.

To interrupt and break the ſtrength of this Southern Aſſociation, the Lord *Hopton* and the Earl of *Forth*, the King's General, having drawn together an Army of thirteen or fourteen thouſand men, were got into *Hampſhire*, with a deſign to advance into *Suſſex* and *Kent*, where they were like to find many ready to joyn with them: To hinder which, Sir *William Waller*, with Sir *William Balfore*, Sir *Michael Liveſy* of *Kent*, and a Brigade of *Londoners*, under Major General *Brown*, making in all ten thouſand Men or upwards, marched that way; of which the Kings Forces having Intelligence, and that *Waller* intended for the Town of *Alsford*, the Lord *Hopton* with a Party of Horſe (leaving the reſt of his Army to follow) marcht from *Wincheſter* thither, and got into the Town before him, ſo that *Waller* was forc'd to take up his Quarters in the Villages.

Waller defeats *Hopton* at *Cheriton-Down* near *Alsford*, *March* 29th.

Thurſday the 28*th.* of *March* was ſpent in Skirmiſhes between Parties, and in Councils of War, which were held in each Army, wherein it was reſolved to Fight the next day: And accordingly on the 29*th.* my Lord *Hopton* drawing out his Forces to *Cheriton-Down*, a ſharp Battel was fought between them. The *Field-word* of both Armies happen'd at firſt to be the ſame, *viz. God with Us*; which by ſome Accident being made known to *Waller*, he changed it on his ſide to — *Jeſus help Us!* The Kings Forces for a while ſeemed to have the better of it, but were afterwards worſted and defeated with very conſiderable Loſs. The Lord *John Stewart* (Brother to the Duke of *Richmond*) and Sir *John Smith*, both received here their mortal Wounds, and dying ſoon after, were buried at *Oxford*; there were alſo ſlain of the Royalliſts, Collonel *Sandys*, Collonel *Manning*, and Lieutenant Collonel *Scot*; and Sir *Edward Stowel* a Major General, and Sir *Henry Beard* (a Collonel lately come out of *Ireland*) taken Priſoners. On the Parliaments ſide were ſlain Collonel *Meldrum*, and Major *Boſvile*, and Collonel *Thompſon* had his Foot ſhot off. The Lord *Hopton* manag'd his Forces Souldier-like, and with a Party of Horſe kept facing the Enemy, and endeavour'd as well as he could to ſecure his Rear. Being forced to quit *Alsford*, ſome of his Souldiers attempted to ſet Fire on the Town, but it was ſoon quenched. *Waller* took two pieces of Ordnance, but miſſed the reſt, for he ſuppoſing they had drawn off their Artillery towatds *Wincheſter*, moſt of their Infantry flying that way, directed thither all his purſuit, whereas *Hopton* with his Horſes and Carriages (it being in the Night) wheeled about through a little Lane, and ſo went unperceived to their Garriſon at *Baſing-Houſe*, from whence on *Sunday* the

the 31*th.* he went to *Reading*, and thence to *Oxford*. Thoſe that retired to *Wincheſter* did not think fit to continue there, but leaving a few Souldiers to keep the Caſtle, haſted away towards *Andover*. *Waller* in the purſuit of them coming to *Wincheſter*, found the Gates ſhut: But upon the firſt Summons the Maior came and open'd them, and preſented him with the Keys, who not thinking it worth while to loſe time in taking in the Caſtle, marched away after the Enemy, towards *Andover*, which they quitted unto him; and Sir *William Balfore* coming thither with a Party of Horſe to take Poſſeſſion of it, and receiving Notice that the Lady *Hopton* was about *Newbery*, ſent out a Party and ſurprized her with two Coaches, twelve Coach-Horſes, and about two hundred Priſoners: Order was given to Treat the Lady with the reſpect due to her quality, and ſhe was quickly diſmiſs'd and Convoy'd to *Oxford*, being permitted to take with her what Plate and Jewels properly belonged to her or her Attendants, but the reſt was made Prize of. *Waller* marching further Weſt, ſent a Party of Horſe and Dragoons, who took the Town of *Chriſt-Church*, and therein Sir *John Mills* the Governour, Lieutenant Collonel *Goddard*, Lieutenant Collonel *Paulet*, Serjeant Major *Turney*, and ſeveral other Gentlemen, Commiſſioners of Array, met there in Conſultation to raiſe Forces for Recruiting the Lord *Hopton*'s Army, they alſo there took an hundred Horſe, two hundred Foot, and above four hundred Arms, and relieved the Garriſons of *Lyme* and *Pool*: and the *London*-Brigade on the *6th.* of *April* ſat down before *Walton*, the Biſhop of *Wincheſter*'s Houſe, which was then made a Garriſon for the King, and ſoon Surrendered to them on Articles, that the Commanders and Officers might march out with their Horſes and Swords, and the Common Souldiers only with Staves in their hands.

Then *Waller* returning to *Wincheſter*, found the Gates ſhut againſt him, and his Entrance into the City refuſed, whereupon battering the Gates, he Entered by Force, which occaſioned great Damage to the Inhabitants, by the unruly Souldiers, who could not be reſtrained from plundering.

20 *Caroli.*

The Lady *Hopton* taken.

Chriſt-Church taken.

Walton-Houſe taken *April 6.*

Wincheſter.

An ORDINANCE of Parliament.

Die Lunæ 1°. Aprilis, 1644.

THe Lords and Commons in Parliament Aſſembled, having certain Information of the great Mercy of our good God in the happy Succeſs of the Forces under the Command of Sir William Waller *and Sir* William Balfore, *on* Fryday *laſt, the* 29th. *of* March, 1644. *do in their acknowledgment of God's Mercy herein, Order, That* Tueſday *the* 9th. *of this inſtant* April, *ſhall be ſolemnly kept as a Publick Thankſgiving for the ſame throughout the Cities of* London *and* Weſtminſter, *and Bills of Mortality. And that upon the Lords-day, which will be on the* 14th. *of this inſtant, Publick Thanks be given in all other Churches and Chappels on the South-ſide of* Trent, *within the Power of the Parliament, unto the Lord of Hoſts that giveth all Victories, for this ſeaſonable and extraordinary Bleſſing, whereby the Army under the Command of Sir* Ralph Hopton *was totally Routed, with the Loſs of very*

An Ordinance for a Thankſgiving for this Victory.

An. 1644.

very few of the Parliaments Forces. And all Miniſters in their reſpective Churches and Chappels are hereby Ordered and Commanded to give notice hereof, and to exhort and excite their People to acknowledge and improve this great Bleſſing in a ſpiritual way, that as this Mercy was beſtowed in return of our Prayers and Humiliation upon the late ſolemn Faſt, the Wedneſday *before this Victory, ſo God may have the ſole Honour and Glory of it in our Prayers and Thankſgiving's. And that the like Thankſgiving ſhall be made on the North-ſide of* Trent *fourteen dayes after, which will be on the* 28th. *day of this inſtant* April.

An ORDER of Parliament.

Die Lunæ 8. April.

Order that Miniſters give Notice the Houſes will draw out all their Forces, *&c.*

IT is this day Ordered by the Lords and Commons in Parliament Aſſembled, that the Miniſters within the ſeveral Pariſhes of London *and* Weſtminſter, *Lines of Communication and Bills of Mortality, do to morrow being the day of Thankſgiving for the great Victory over Sir* Ralph Hopton's *Forces, publiſh in their ſeveral Churches the Reſolution taken by the Parliament, to draw all their Forces together, and purſue this Victory, and put it to a day, and fight with the Enemy, to put a ſpeedy Iſſue (by the Bleſſing of Almighty God) to theſe lingering miſeries, and to exhort the People to contribute to the uttermoſt for the ſending forth what poſſible ſtrength can be had.*

Another ORDER of Parliament.

Ditto.

Order that the *London*-Committee may ſend out as many of the Train-bands and Auxiliaries as they think fit, to any place of *England.*

IT is this day Ordered by the Lords and Commons in Parliament Aſſembled, that the Committee of the Militia of the City of London, *ſhall have power, and is hereby Authorized from time to time to Command ſo many of the ſeveral Regiments of the Trained Bands, and of the Auxiliaries and Troops of Horſe, or other Forces raiſed or to be raiſed under their Command, within the Cities of* London *and* Weſtminſter, *Lines of Communication and Pariſhes mentioned in the weekly Bills of Mortality, as to them ſhall ſeem convenient, to march under the Conduct of ſuch Perſon or Perſons as the ſaid Committee of the Militia ſhall think fit, to lead and conduct them for the defence of the Parliament, Cities of* London *and* Weſtminſter, *and parts adjacent, into any parts or places of the Kingdom of* England, *and Dominion of* Wales, *to aſſiſt the Forces under the immediate Command of his Excellency the Earl of* Eſſex, *the Earl of* Mancheſter, *Sir* William Waller, *or any other Forces raiſed or to be raiſed for the Defence of the King and Parliament, by the Advice and Conſent of both Houſes of Parliament, or the Committee of both Kingdoms. And it is further Ordained, That the ſaid Committee of the Militia ſhall have power, and is hereby Authorized to cauſe all or any of the ſaid Forces, to march with their Colours*

lours to any place or places aforesaid, and not to depart from the same without Licenſe from their Captains, and to impoſe reaſonable Fines, or to Impriſon all Collonels, Lieutenant Collonels, Serjeant Majors, Captains, and other Officers and Souldiers whatſoever under their Commands, whether Maſters or Servants, as ſhall diſobey the Commands or Directions of the ſaid Committee of the Militia, from time to time, as they ſhall think fit, or otherwiſe to proceed againſt them according to the Courſe of War. And it is further Ordained by the ſaid Lords and Commons, That the ſaid Committee of the Militia ſhall have power, and is hereby Authorized to call back all ſuch Forces as they ſhall appoint to march forth by Vertue of this Ordinance when they ſhall think fit. And it is further Ordained, That ſuch Forces as ſhall be ſent forth as aforeſaid, ſhall be paid by the Parliament for the time that they ſhall continue abroad, according to the New Eſtabliſhment of the Army under the immediate Command of his Excellency the Earl of Eſſex. *And the ſaid Committee and all other Perſons acting in the Premiſes according to the intent of the ſaid Ordinance, ſhall be ſaved harmleſs by Authority of Parliament.*

The Thankſgiving-Day being kept on *Tueſday* the *9th.* of *April*, a Common-Hall was Ordered to be called towards Evening, to whom repaired a Committee of Lords and Commons, and the following Speeches were made to ſtir up the Citizens to contribute towards a ſpeedy recruiting of the Armies.

SPEECHES

An. 1644.

SPEECHES TO THE CITIZENS AT *GUILDHALL, April* 9. 1644.

To Advance Men and Money.

The Right Honourable *The Earl of* Warwick's *SPEECH.*

The Earl of *Warwick's* Speech.

My Lord and Gentlemen,

"UPon this Happy Victory, that you have had, for which you "have given God Thanks this day, the Parliament under- "ſtands that the King and your Enemies are preſently drawing "into the Field, and they are drawing all their Forces into the "Field to come againſt you; and the Parliament upon this, have "thought fit to draw all their Forces into the Field, that (with "God's Bleſſing upon them) they may make an end of theſe "Unhappy Diſtractions that are among us; and they hope, that "as you have been very forward and active in this Cauſe of "God, and the Publick Liberty, ſo you will not be wanting now "in drawing your ſelves into the Field, with all our Armies, to "defend God's Cauſe and the Publick Liberty: The reſt, *My Lord*, "I ſhall leave to ſome worthy Gentlemen of the Houſe of Com- "mons.

Sir Henry Vane's *SPEECH.*

My Lord Mayor, and Worthy Aldermen, and the reſt of the Gentlemen of the City of London,

Sir *Henry Vane's* Speech.

"THe Houſes of Parliament have ſeldom in Matters of any great "Importance, but been ready to Communicate them unto "your ſelves, as knowing how nearly you have intereſted your- "ſelves with them in theſe Publick Dangers, and for the Publick "Liberties of the Kingdom, and preſervation of Religion; at this

"time,

20 *Caroli*

"time, above all the reſt they have thought it neceſſary to ac-
"quaint you with a Reſolution which they have taken, in regard
"that as they have had former Experiences of your ready Affe-
"ctions in all Caſes of Exigency to aſſiſt them, and in them your
"ſelves, and the whole Kingdom; ſo they do not doubt but at this
"time they ſhall be prevented by your own Inclinations; conſider-
"ing, that what they have now in hand, is, if it can be poſſible,
"to put a ſpeedy iſſue to theſe Unhappy, and to theſe lingering
"Diſtractions, that we have had thus many Years together. The
"occaſion of their Reſolution is this: It having pleaſed God by the
"late Overthrow which he gave the Enemy by Sir *William Waller*'s
"Forces, for to occaſion the Enemy now to draw out all his Gar-
"riſons, to endeavour to take the Field with all that Power he can
"make, and, if it be poſſible, to come ſuddenly upon thoſe Forces
"that ſo lately routed them; the Parliament thought it Wiſdom
"and Providence for to give Order for all their Forces on the South-
"ſide *Trent*, thoſe under my Lord *Mancheſter*'s Aſſociation, thoſe
"likewiſe of the ſeveral Garriſons that can be ſpared, thoſe alſo of
"his Excellency my Lord General's Army, that at this time is in
"a hopeful way of recruiting; and likewiſe in the laſt place, thoſe
"they might expect from your own ready Affections. They have
"known your Willingneſs, they have known your Watchfulneſs at
"all times, for to comply with their Occaſions, and with the Ne-
"ceſſities of the Common-wealth, at this time they doubt not but
"you will be the more encouraged to it, becauſe (through the
"Bleſſing of God) it may put an Iſſue unto this War; at leaſt it
"is that, as is in the Parliaments deſire, and will be in their en-
"deavours; they have therefore thought fit thus publickly to re-
"commend this Buſineſs to you, to quicken your Affections, which
"are at all times very much ſtirred up for their Service, and they
"doubt not therefore will be to this. They deſire you therefore, as
"knowing the ſeveral wayes that you have among your ſelves,
"for Subſcriptions, for Contributions, for ſetting out thoſe that are
"of able Bodies, and of good Affections to the Cauſe; knowing
"how much that this City hath ſent forth, and thoſe Perſons that have
"been an Honour to the City, in behaving themſelves with that
"Gallantry, as that it may be truly ſaid, that the Enemy doth ap-
"prehend no Forces like unto thoſe that come out of this City;
"being Perſons, that for Religion, for Faithfulneſs to the Cauſe,
"and for publickneſs of Spirit to the Parliament, have ever ſhew-
"ed themſelves as firm and as forward as any whatſoever; they
"do not doubt but you will ſhew your ſelves ſo at this time alſo,
"and acquit your ſelves like Men, which is that as I am to re-
"commend to you; there are others that I doubt not will follow,
"will do it with a great deal of more Exactneſs than I can do;
"but this is the ſubſtance as I can remember.

An. 1644.

His Excellency

The Lord General's SPEECH.

My Lord, and Gentlemen,

The Earl of *Eſſex*'s Speech.

"YOu have here underſtood by a Noble Lord, my Lord Admiral, and this Noble Gentleman of the Houſe of Commons, "the deſire of both Houſes of Parliament: They have acquainted "you too what the King's Intention is, to draw all his Forces together, and what the Parliament doth intend in drawing all their "Forces they can Southward, and what great Victory God hath "given Sir *William Balfore* and Sir *William Waller*; ſo I am only "to take this Opportunity to give you all acknowledgments and "Thanks for thoſe great Aids that I have had always to go along "with me; for I muſt needs acknowledge, that moſt of the things "that have been done by me, eſpecially the Buſineſs at *Glouceſter*, "have been done by your helps; I ſhould deſire the like ſtill, and "what ſhall come to me, I ſhall uſe with good reſpects, and venture my Life with them; and I ſhould have been very glad that "my Army had been in that Caſe, that I might not have needed "to take any of you from your own Houſes, knowing how much "Expence you have been at already both in your Eſtates and Blood, "in the Service of Religion and this Cauſe; but whatſoever Forces "you pleaſe to draw out, I ſhall venture my Life with them, and "be ready to give a quick end to this Cauſe.

To be at their Rendezvouz the 19*th.* of this Month, about *Ailsbury*.

The Right Honourable

The Earl of Pembroke's SPEECH.

Gentlemen,

The Earl of *Pembrook*'s Speech.

"I Am a very ill Speaker, but I thank God I am a very Dutiful Subject to God, and to the Kingdom, and in this Cauſe; "though I am an ill Orator, yet I have a good Heart, and I cannot be ſilent in ſuch a Cauſe as this is. I ſhall not need to trou"ble you with the effects of the Cauſe, becauſe ſo many of my "Lords and Gentlemen have opened it; but I ſhall not forget, in "the Name of both Houſes, to give you many thanks, both my "Lord Maior and all the City, for all the Love and Affection you "have ſhewed, not only now, but heretofore, and above all that "ever any of your Anceſtors did; for though the City of *London* "have often ſhewed themſelves with abundance of Love to the "Kingdom, yet they have never gained ſo much honour as in theſe "times: For I muſt needs ſay, that under God, it is the Love and "Fidelity of this City hath ſaved all; and therefore I may deſire

"you

20 *Caroli.*

"you for your own Honours, that you would ſo ſecond it now in "theſe times, that God hath given you ſo fair an Opportunity for "it; I think you have little to do but to go on in it, and you ſee "what Accidents had been like to fall out (as my Lord General told "you) for want of recruiting his Army heretofore. I ſpeak not "this to ſhew that it is any Fault of yours, but let us not loſe this "Opportunity, and let thoſe Experiences make us know how to help "our Failings hereafter; for (as my Lord General hath told you) "if my Lord General's Army had been ready, we might have put "an end to this Buſineſs; but I doubt not but your Care, and your "Love, and your Fidelity will make that Iſſue, that will quit the "Kingdom of all theſe Villains, that have been the Cauſe of all "this.

"*Collonel* Hollis *his* SPEECH.

My Lord Maior, and Citizens of this Famous City, which have done ſo Famous things for Religion, for the Parliament, for the whole Kingdom;

Denzil Hollis his Speech.

"TRuly there need not many words to Encourage you, your "own Affections prevent all that can be ſaid. You have been "ſufficiently told the occaſion of this Meeting with you by theſe "Committees, which are ſent from the two Houſes of Parliament. "Your own Wiſdoms do ſufficiently inform you of the Neceſſity of do-"ing that which is now deſired of you by theſe Lords here, and "theſe Gentlemen that have ſpoken before. It hath pleaſed God "to give us a very great Advantage by that Happy Succeſs which "God gave to the Endeavours of that brave Gentleman Sir *Willi-"am Balfore*, and that other gallant Gentleman Sir *William Waller*; "It behoves us to improve this Occaſion, and it hath been the Wiſ-"dom of all States, as it is the Duty of all Chriſtians, to meet "God's Bleſſings, and to go along with them; but truly, beſides "this, there lyes a Neceſſity upon you too; for there is as great "a Wiſdom to meet the Enemy, and to prevent him in his De-"ſigns: He is now drawing and Aſſembling all his Forces toge-"ther, and therefore you are not only invited unto it by ſuch Rea-"ſons as Wiſdom may ſuggeſt unto you, but by ſuch forcible Ar-"guments as Neceſſity impoſes on you; this is neceſſary for you "to do for your Preſervation. My Lord General (who hath ſpo-"ken to you) hath told you how ready, and how willing he is to "Engage himſelf, to adventure his Perſon, his Life, his Fortunes, "all that he hath with you; he had experience of your Fidelity be-"fore, and hath received the Fruits of it ſeveral times; and that "makes him (I am ſure) the more chearfully offer himſelf to you "again; and we all know your Affections to him to be ſuch, as "you will not ſuffer him to go into the Field, but as is ſuitable "to the General of the Forces raiſed by the Parliament, for the De-"fence of Religion and the Publick Liberty: If his Army had been "recruited, this had not been Needful unto you at this time; for "then he would have been willing to have ſpared you. He knows "how much it concerns the Wealth and Trade of this City, that

An. 1644. "you ſhould keep at home, to follow your Occaſions here; and "that your Purſes (as they have alwayes been) ſhould have been "open to ſupply the Wants of the Army, he would have ſpared "your Perſons; but now the Parliament throw themſelves upon "your Affections, and deſire you to offer your ſelves, as *One Man*; "for it is to no purpoſe to go by little and little, it is but as a "little Water thrown on the Fire, that doth but enrage it, and "will not quench it: But now, if all will joyn their Purſes, their "Perſons and their Prayers together, I doubt not but we ſhall "(through God's Bleſſing) ſee an end of theſe miſerable and di-"ſtracted Times; and the Lord put it into your Hearts to do "that which is fit for you to do, which we know you will "do.

Mr. Recorder's SPEECH.

Gentlemen,

Glyn's Speech. "I Am Commanded by theſe Lords and Gentlemen (that are "come from both Houſes of Parliament to preſent what alrea-"dy they have ſpoken) to add one word more. *Firſt*, You have "had Notice of the great Bleſſing that God Almighty hath been "pleaſed to beſtow on us by the late Victory, and you have now "the Experience of the Care of both Houſes of Parliament, to "aſcribe that Bleſſing unto God Almighty, by ſetting apart this "Day for to give him Thanks for it; and they have thought it "a Day of Opportunity, when we all joyn in Prayer and Thankſ-"giving unto God Almighty, that we ſhould now again Meet at "this time to improve that Bleſſing; and therefore it hath been ſet "out unto you, that you would be pleaſed, in purſuance of what both "Houſes of Parliament have reſolved, and my Lord General, to draw "all the Forces that they can get together, unto a general Rendezvouz "about *Ailesbury*; the Nineteenth of this Month all the Forces have "directions to draw together; and now they do apply themſelves "unto you (having had experience of your great Affections, and "God having wrought ſo much by the Forces that you have ſent "abroad) to deſire that you would now at this time (which we hope "will give an Iſſue to all our Troubles) ſhew your Affections by "ſending out as many Forces as you can, to joyn in this Work to "make a ſpeedy end of it: Only I ſhall add this word to it, My "Lord General is Recruiting his Army, both Houſes of Parliament "have put him in a way, and now *he deſires your Aſſiſtance* and Con-"currence only to help him with the Bodies of Men, that every "Man in his particular Work may do what he can, that that Army may "be raiſed as ſhortly as poſſibly may be; there ſhall be no want "in both Houſes of Parliament or my Lord General, and they are "all Confident there ſhall be no Want in you, and that is that they "have Commanded me to add, and God put it into your Hearts to "do what ſhall be beſt unto him.

The

20 *Caroli.*

The King's Preparations.

The King was very intent upon providing Forces, and adjuſting his Affairs for this Summers Campaign, and as one means to augment his Numbers, had ſet forth the enſuing Proclamation.

By the KING,

A PROCLAMATION commanding all his Majeſties Subjects and Servants that have any Office, Place, or Fees, of his Gift or Grant, forthwith to give Attendance upon his Perſon.

Proclamation for all the King's Servants, *&c.* to attend his Perſon before the 20th. of *April*, 1644.

WHereas by a Statute in the 11th. *Year of Our Royal Progenitors, King* Henry *the ſeventh, all Our Subjects (others than thoſe that are excepted in that Act) having any Offices, Fees or Annuities of our Gift or Grant (beſides their Common Allegiance) are bound under the Penalty of loſing and forfeiting their Office, Fees and Annuities, to give their Attendance upon Us, when we ſhall fortune to go in the Wars in our own Perſon, for defence of our Realm, or againſt Rebels for the ſubduing and ſuppreſſing of them. And whereas divers of our Subjects that have Offices, Fees or Annuities of our Gift or Grant, and divers of our menial Servants, who by their Places and Offices ought at all times to give their Attendance upon Our Perſon, have neglected their Attendance in the time of this Rebellion, when we have Engaged in the War in our own Perſon; ſome upon pretence of Leave or Diſpenſation from Us, and ſome upon other pretences; which we ſhall no longer permit, as well in regard of our Honour as Our Safety, being reſolved to go in Perſon for the ſubduing and repreſſing of the Rebels in Arms againſt us; We have therefore thought fit to publiſh this Our Proclamation, and do hereby Command and Require all our Subjects and Servants whatſoever that have any Offices, Places or Annuities from Us, or of Our Gift or Grant (other than ſuch as are in preſent Service or Employment in our Armies, or are otherwiſe employed in Our ſpecial Service by Our immediate Command) forthwith to repair to Our Court at* Oxford, *and give their Attendance upon our Perſon there with all convenient ſpeed, and at furtheſt before the* 20th. *Day of* April *next coming, any Leave or Diſpenſation, or pretence of Licenſe from Us, or any other Pretence or Excuſe whatſoever notwithſtanding; letting them hereby know, That in caſe they ſhall fail in their Attendance at the day before prefixt, contrary to Our Commands publiſhed in this Our Proclamation, or ſhall not afterwards continue their Service and Attendance upon Us according to their Duties, they ſhall incurr our juſt Diſpleaſure, and we ſhall hold their Fees and Annuities as void and determined, and diſpoſe of their Places and Offices to others, as loſt and forfeited by their Abſence: And we do hereby revoke and recall all Licenſes, Leave or Diſpenſations for Abſence formerly granted and obtained —— Given the* 22th. *Day of* March *in the* 19th. *Year of Our Reign,* 1643.

Likewiſe

An. 1644.

Likewiſe to Furniſh his Garriſon at *Oxford* with Proviſions, and ſtreighten the Parliaments Forces when they ſhould advance that way, his Majeſty ſet forth a Proclamation in theſe words:

By the KING,

A PROCLAMATION for the better Preſervation of the Countrey and the Garriſon at *Oxford*, and ſecuring of their Corn and other Proviſions of Victuals and Food for Men and Horſe.

King's Proclamation for the Countrey to bring in their *Corn* and *Hay* to *Oxford*, on Pain of having it *Burnt*, *April* the 15. 1644.

WHereas by our Proclamation of the 29th. *of* March *now laſt paſt, We invited Our loving Subjects of* Oxford *and* Berks, *and other Counties adjacent, who are owners of Corn and Grain and other Victuals in a greater proportion than is neceſſary for their own private Families; that for their own benefit, to ſecure the ſame againſt the ſuddain Incurſion and Violence of the Rebels, and for the better furniſhing of our Garriſon at* Oxford, *againſt a time of need, they ſhould ſpeedily bring the ſame into this City, and there ſtore it up in ſuch places as themſelves ſhould provide; or as we in our Care by our Commiſſioners, to whom they are to reſort, have there provided for them; where the Owners thereof by themſelves, or ſuch as they ſhould Nominate and Truſt, ſhould keep the ſame; and from thence, as the true Owners thereof, ſhould iſſue the ſame, to furniſh the Markets from time to time for their beſt Advantage.*

Since which time we find that the Inhabitants of theſe places not being ſo ſenſible of their own good as we expected they would have been, have been very negligent in applying themſelves to Our deſires, but do expoſe themſelves and that part of their Eſtates to that danger which may fall upon them we know not how ſoon: We therefore by the Advice of the Lords and Gentlemen, Members of the two Houſes of Parliament, now Aſſembled at Oxford, *do Admoniſh all Our loving Subjects whom it may concern, that within five dayes now next enſuing, at the furtheſt, for ſuch as live within ſeven Miles from this Town, and for ſuch as dwell farther off, within eight dayes after the Date hereof, they bring or cauſe to be brought into this City of* Oxford, *all ſuch Corn of all ſorts, ready Thraſhed or in the Straw, and all ſuch other Victuals ſerving for the Food of Men or Horſe, which they can ſpare, here to be ſtored up by themſelves, or ſold at and for reaſonable Prizes for ready Money: And alſo that they bring in hither all ſuch Hay and Straw as they have, and may ſpare, here to be ſold to Us and to the Nobility and Gentry here reſiding, for ready Money at reaſonable Prizes.*

And We, by the Advice aforeſaid, do further let them know, and do hereby Declare, that if they fail herein upon what pretence ſoever, We ſhall eſteem them as perſons diſaffected to Us and to our ſervice, and as the Courſe of War, and the Neceſſity thereof requireth, upon the approach of the Rebels, who are Enemies to Us and them, we muſt and will by our own Souldiers fetch ſo much thereof away as we can for the Proviſion of our own Army, and the reſt conſume and deſtroy by Fire, rather than ſuffer the

20 *Caroli.*

the ſame to fall as a Prey into their hands, who will thereby be the more Enabled to annoy Us and our good Subjects: Of all which we expect a ſtrict performance, and will require a ſevere Account. And all Horſes, Carts and Carriages which are employed for this Service, ſhall have free paſſage in their going and coming, and not be taken for any other Service.

Given at Our Court at *Oxford*, this 15*th.* Day of *April*, in the 20*th.* Year of Our Reign.

A DECLARATION of the Lords and Commons in Parliament, concerning his Majeſties late Proclamation, and the Reſolution of both Houſes thereupon.

Die Lunæ, 22 Apr. 1644.

The two Houſes Declaration touching the foregoing Proclamation, *April* 22. 1644.

THE Lords and Commons, Aſſembled in the Parliament of England, *do obſerve that the ſame Councils now predominate at* Oxford, *which have contrived and effected the deſtruction of* Ireland *by Fire and Sword, do farther labour to bring the like Deſolation upon this Kingdom; and in purſuance thereof, have dared to publiſh this unparallel'd Paper in the Form of a* Proclamation, *threatning Deſtruction* by Fire and Sword, *under the Title of preſerving the Countrey: The Lords and Commons do thereupon Declare, That they will uſe their hearty Endeavours with the hazard of their Lives and Fortunes to prevent theſe Miſeries, whereof they are moſt ſenſible; and have taken Order that Conſiderable Forces ſhall ſpeedily advance for the Defence and Protection of the People, wherein they deſire the Aſſiſtance of their Countreymen, and humbly Pray to God for his Bleſſing.*

Jo. Browne, *Cler. Parliamentorum.*

The State of the Kings Affairs about *April*, 1644.

The coming in of the *Scots*, and eſpecially the defeat of *Bellaſis* at *Selby*, *April* 11. whereby *Fairfax* was grown formidable, and *Newcaſtle* (who before held the *Scots* in play) neceſſitated to retreat, and ſoon after ſhut up in *York*, (as we have already recounted) did much incommode his Majeſties Affairs in the North, and the late Blow given to *Hopton* at *Alsford*, *March* the 29*th.* had ſomewhat broken his Meaſures in the South. The Eaſtern Counties were Aſſociated for the Parliament, ſo that the King's greateſt Intereſt and Hopes at preſent ſeem'd to lye in the Weſt, where Prince *Maurice* lay with a conſiderable Army before *Lyme*, and the *Corniſh* and *Welch* being for the moſt part devoted to his Majeſties Service, there was no doubt but large Leavies might be made amongſt them to Recruit his Armies. It was therefore thought fit that her Majeſty ſhould retire that way for the ſecurity of her Perſon, who took her Leave of *Oxford*, *April* 17. His Majeſty, the Prince, and the Duke of *York*, with a great Number of Lords and Gentry bringing her Majeſty the firſt

The Queen leaves *Oxford* *April* 17. 1644. and goes into the Weſt.

An. 1644.

first dayes Journey, and a ſufficient Guard waiting on her thereof of the way to *Exeter*: For being with Child, ſhe deſigned to Lye in there, as a place like to prove more peaceable and fit for Her in ſuch a Condition than *Oxford*.

The Receſs of the Lords and Commons Aſſembled at *Oxford*, *April* 16. to meet again, 8*th*. *October*.

The day before her Majeſty departed, the Aſſembly of Lords and Commons at *Oxford* (whoſe Proceedings you have before in a particular Chapter) broke up, and betook themſelves to their ſeveral Countries and Charges, to promote his Majeſties Service; who in his Speech to them at that time, eſpecially recommended it to them, to be very careful in Expediting Supplies of Money on the Privy-Seals which they had Adviſed, and to uſe their beſt diligence for the Preſſing of Men, and Encouraging of Volunteers: They were appointed to meet again the 8*th*. of *October* following.

By the KING,

A PROCLAMATION for the further Reſtraint of Prophane *Swearing* and *Curſing*, and the better Obſerving of Prayer and Preaching in his Majeſties Armies, and the City of *Oxford*, and all other Parts of the Kingdom.

King's Proclamation againſt Swearing, 18 *April*, 1644.

WHereas by Our Proclamation Dated the thirteenth day of June *laſt paſt, we did ſtrictly Charge and Command all the reſpective Officers of our Army, to cauſe all our Military Orders againſt Blaſphemy, Oaths, and other ſcandalous Actions againſt the Honour and Service of God, to be duely and ſeverely put in Execution; which Our Command, if it had been well obſerved, and the Laws of our Realm, touching thoſe Offences, duely Executed, (as in Duty to God and Us they ought to have been) there had not been that Liberty taken by thoſe of our Army, and other Perſons in the Kingdom, of Diſhonouring the Sacred Majeſty of God, by horrible Oaths and Execrations, to the high Provocation of Gods Wrath againſt themſelves and this whole Nation: We therefore, out of our tender Care of the Honour of God (to whoſe Glory we ſhall ever devote our Crown) and in token of our Hatred and Deteſtation of this monſtrous Impiety, do by this our Proclamation ſtrictly Charge all Commanders and Officers of our Army, and of all our Garriſon-Towns, to ſee that all our Military Orders for the Repreſſing of Prophane Swearing and Curſing by Souldiers, be duely and ſeverely Executed for the time to come, and Exemplary Puniſhment done upon Offenders therein, to the Terror of others; which that they may know is by Us expected at their hands, We do hereby require all Commanders and Officers in our Armies and Garriſon-Towns, and all who do or ſhall attend Us in our Court, to be Vertuous Examples in their own Perſons to all Souldiers and others, by abſtaining from all ſuch Prophanations, as they deſire the Bleſſing of God upon Us, upon themſelves and the whole Land; which if they ſhall neglect to perform, we do hereby Declare, That all ſuch Perſons in our Court, Armies, or Garriſon-Towns, as ſhall appear to Us to be Notorious Offenders in this kind, we will in ſome publick way ſet a Character of Diſgrace upon them, that they may appear to the whole World to be offenſive both to God and Us. And We do farther hereby ſtrictly Charge and Command all Juſtices of Peace, Bailiffs and Head-Officers in all Cities and Towns Corporate,*

Corporate within the ſame, that they cauſe the Statute made in the One and twentieth Year of the Reign of Our late Father of Bleſſed Memory, for the Prevention and Reformation of Prophane Swearing and Curſing, to be put in due Execution; and that the Forfeiture of twelve Pence for every Offence be Levied according to that Statute, and particularly in our City of Oxford, *where our Court now is; wherein We ſtrictly Charge and Require the Maior, and Juſtices of Peace of our ſaid City (of whom We will require a ſtrict account) to take eſpecial Care of the Puniſhment of all Offenders in that kind, and that Children and others of whom the Penalty of twelve Pence cannot be Levied or had, be Whipped, or ſet three Hours in the Stocks, according to the Form of that Statute. And for the future Prevention of theſe and the like Offences, ſo oppoſite to the Glory of God, by Planting his true Fear in the Hearts of all Men, We do laſtly Charge and Command, That Divine Service and Sermons (according to the Doctrine and Liturgy of the Church of* England *Eſtabliſhed by Law) be duely and conſtantly uſed in all our Armies and Garriſon-Towns, and all Churches and Chappels throughout this Realm. All theſe our Commands We require forthwith to be Printed and Publiſhed at the Head of every Regiment of our Army, and in all Our Garriſon-Towns, and in all Pariſh Churches within this our Realm.* 20 *Caroli.*

Given at Our Court at Oxford, *the Eighteenth Day of* April 1644.

GOD Save the KING.

The King's Forces Quartered at *Oxford*, *Reading*, *Marlbourough*, &c. and upon Notice of the Parliaments Army being ready to take the Field, his Majeſty reſolv'd to draw what Men could be ſpared, out of his Garriſons, and to quit ſuch places as were not tenable, or of importance, thereby to ſtrengthen his Army: In purſuance whereof, on *Tueſday*, *May* the 14*th.* his Majeſty came in Perſon to *Reading*, and Muſter'd the Foot-Souldiers there, and ſome others that attended him from *Oxford*, making in all about two Thouſand: After which his Majeſty ſignified to the Townſmen, "That whereas the "Rebels were upon their March, and would in all probability en- "deavour to take in that Town, he therefore thought fit to deſert "it, and had Ordered his Souldiers to ſlight the Fortifications, and "adviſed ſuch of his good Subjects as were willing to be freed from "the Rebels power, to remove their Proviſions and Goods to *Oxford*, "where they ſhould be Protected from violence." Accordingly the Works were demoliſhed, the Forces drew out the next day to *Cauſham*, and his Majeſty return'd to *Oxford*; and on *Thurſday*, *May* the 16*th.* Sir *Ralph Hopton* muſtered his Forces near *Newbery*, where he had five thouſand Horſe and Foot, and others of his Majeſties Troops lay at *Witney*, about ſeven Miles from *Oxford*.

The King quits *Reading*, and ſlights the Works, *May* the 14*th.*

The Parliaments Rendezvous deferr'd.

The Parliament had appointed a General Rendezvouz of their Forces on the 19*th.* of *April*, (being *Good-Friday*) near *Ailsbury*, but for want of Money, and by reaſon of other Accidents, were not able to take the Field ſo ſoon.

Ordinance for ſending Trainbands and Auxiliaries to *Eſſex* and *Waller*, *May* the 9*th.*

On the 9*th.* of *May* they paſs'd an Ordinance, That the Regiment of Trained-Bands raiſed in the *Tower-Hamblets*; the Regiment of Auxiliaries raiſed in and about *Weſtminſter*, and thoſe of the *Burrough* of *Southwark*, conſiſting in all of four thouſand two hundred

An. 1644. Men, ſhould March with all Neceſſary Proviſions of Arms, Ordnance, Ammunition and Carriages, to Sir *William Waller*: And three other Regiments of Auxiliaries raiſed in *London* and the Liberties, conſiſting of four thouſand two hundred Men, to March to the Earl of *Eſſex*, and according to his Directions; and that all ſuch Forces in the Expeditions aforeſaid, during their being abroad, ſhall be paid by the Parliament.

Eſſex ſets out from *London*, *May* the 14*th*.

General *Eſſex* on the 14*th*. of *May* ſet out of *London* early in the morning, and went to his Army at *Beaconsfield*, and on the 16*th*. to *Wickham*, where he received the following Letters from *Oxford*.

The Marqueſs of *Hertford*'s LETTER to the Earl of *Eſſex*.

My Lord,

Marqueſs of *Hertford*'s Letter, deſiring a ſafe Conduct for the Princes Furniture into *Cornwall*, *May* 15th.

HIs Majeſty being pleaſed that the Prince ſhall now Sue forth his Livery for the Dutchy of Cornwall; *and having appointed him for ſome time to reſide there: I am Commanded by his Highneſs to deſire a Paſs from your Lordſhip, for ſuch Furniture and other Utenſils for his Houſe as ſhall be neceſſary; the which if your Lordſhip ſhall grant, an Officer of the Wardrobe ſhall attend your Lordſhip with the particulars: And I am likewiſe to deſire you that this other Letter may be delivered to Sir* David Cuninngham, *and that he may have Leave to ſend hither the particulars mentioned therein. This being all I have in Command, I reſt,*

Oxford, 15 *May*, 1644.

Your Lordſhips moſt Affectionate Brother and Humble Servant,

HERTFORD.

To the Right Honourable the Earl of Eſſex.

The Earl of *Berkſhire*'s LETTER to Sir *David Cunningham*.

Sir David Cunningham,

Letter to Sir *David Cuningham* about the Princes Livery.

HIs Majeſty being pleaſed that the Prince ſhall now ſue forth his Livery for the Dutchy of Cornwal, *towards which it is convenient that former Precedents to that purpoſe be viewed; I am Commanded by his Highneſs to write to you, that you ſend down Mr.* Major *or ſome other Truſty Meſſenger with the Tranſcript of the laſt Livery granted of the Dutchy to his Majeſty when he was Prince, and the* Charter *of Liberties, if any were then granted, with the Copy of the Commiſſion for his Highneſſes Revenue, which you are to do with all poſſible ſpeed, I reſt*

Oxford, 15 *May*, 1644.

Your Loving Friend,

BERKSHIRE.

The

20 *Caroli.*

The Earl of *Forth*'s LETTER to the Earl of *Eſſex*.

My Lord,

Letter to *Eſſex* for a Paſs for Madam Croſts.

I Am an earneſt Suitor to your Lordſhip in the behalf of a very worthy Lady, Mrs. Elizabeth Croſts, *one of the Maids of Honour to the Queens Majeſty, who for Recovering of her Health is very deſirous to repair to* London; *and for that purpoſe I entreat your Lordſhip may be pleaſed to grant her a Paſs for her ſelf, three Women and two Men, a Coach and ſix Horſes, and one Saddle-Horſe, with their Neceſſaries, which I ſhall take as a great Favour done unto*

May 16. 1644. My Lord,

Your Lordſhips Humble Servant,

FORTH.

Eſſex, before he returned any Anſwer to theſe Letters, thought fit to Communicate them to the Two Houſes, who at a Conference agreed not to grant any ſuch ſafe Conducts, as apprehending that the Princes deſign of going into *Cornwall* might be to raiſe Forces there, and Ordered a Letter to be writ to the General, ſignifying their ſenſe therein, with thanks to him for his Care, and deſiring that in theſe and the like Caſes he grant no ſafe Conducts for any from *Oxford*, without their Conſent; and ſo Jealous they were at this time, that they alſo paſs'd the following Order.

Theſe Paſſes denyed by the two Houſes.

An ORDER of Parliament.

Die Mercurii 15°. Maii, 1644.

An Order for removing Recuſants Cavaliers Wives and ſuſpitious Perſons, *May* 15. 1644.

IT is this day Ordered by the Commons Aſſembled in Parliament, That Directions be given to the Lord Maior, Court of Aldermen, Common-Council, and the Committee of the Militia, to take ſome ſpecial and ſtrict Courſe for the removal of all ſuſpicious Perſons, all ſuch as have lately come from Oxford *or any other of the Kings Quarters, Recuſants, the VVives of Recuſants, and the VVives of ſuch Perſons as are in Arms againſt the Parliament, out of the Cities of* London *and* Weſtminſter, *the Suburbs, the Inns of Court and* Chancery, *and all other places within the Line of Communication, and to take ſome Courſe to prevent the Return of them, or the Coming in of any other; and likewiſe to take Order that all the Forces of the Cities of* London *and* Weſtminſter, *Suburbs and Line of Communication, may be put in a Poſture ready to march at two Hours warning: And that they will give Order that good VVatches by faithful and good Men may be kept at all the Guards, and upon all the Avenues to the City. The like Directions,* mutatis mutandis, *to the Committees of the ſeveral and reſpective Counties. They are further required, that if upon the ſearch after ſuſpitious Perſons they ſhall meet with any Souldiers, that they take Courſe that they may be ſent to their Colours, to be proceeded with according to their Demerits and the uſual Courſe of VVar.*

An. 1644.

Waller goes to his Army *May* 15*th.*

The 15*th.* of *May* Sir *William Waller* went down to his Army, which was that day Muſtered at *Farnham*, conſiſting of eight Regiments of Horſe, and as many of Foot, being in all between Nine and Ten Thouſand, with twenty four Guns great and ſmall, many Leather Guns, and ſixty Waggons for Baggage and Ammunition. The 21*th.* *Eſſex* was at *Henley*, and the 23*d.* at *Reading*: The 25*th.* the Lord *Roberts*, Field-Marſhal, with a conſiderable Party of Horſe and Foot marched towards *Abingdon*, where the Kings Forces that were there Quatered quitted that Town, and marcht away with their Artillery and Magazeen towards *Oxford*, but part of them under the Lord *Hopton* paſſed by that City towards *Iſlip*, in the way to *Worceſter*; and one Captain *Temple* with a Party of Horſe, was ſent forth by Sir *Samuel Luke* (Governour of *Newportpannel* for the Parliament) to obſerve their motion, but not to Engage them: He being too forward to be in Action, fell upon three Troops quartered at *Iſlip*, ſix Miles from *Oxford*, and took about fifty of their Horſes, a Captain and ſeventeen other Priſoners, eight Bails of Serges and ſome Money; yet though he had ſuch Luck, he was queſtion'd by a Committee of War for not obeying Orders, but in reſpect of his Services got off.

The Parliament get Poſſeſſion of *Abbington*, *May* 25*th.*

Capt. *Temple* beats up Quarters at *Iſlip.*

May the 26*th.* General *Eſſex* came to *Abbington*, and there cauſed Proclamation to be made throughout his Army, as followeth.

Robert *Earl of* Eſſex, *&c. Captain General of the Army employed for the Defence of the Proteſtant Religion, King, Parliament and Kingdom.*

Eſſex forbids Plundering on Pain of Death, *May* 26*th.*

WHereas theſe Countreys have been very much afflicted and oppreſſed by the Enemy, and we are now come to Relieve them of their hard Bondage, it is therefore my expreſs Will and Pleaſure, and I do hereby ſtraitly Charge and Command all Officers and Souldiers of Horſe, Foot, and Dragoons, belonging to the Army under my Command, that they and every of them do forthwith after Proclamation hereof made, forbear (notwithſtanding any pretence whatſoever) to plunder or ſpoil any of the Goods of the Inhabitants of theſe Countreys, or offer any violence or other prejudice unto them, upon pain of Death without Mercy. Given under my Hand and Seal this 26th. *of* May, 1644.

Whilſt the General lay at *Abbington*, *Waller* with his Army came into the Neighbouring Villages, and Marched afterwards in the Rear of him. On *Tueſday* the 28*th.* of *May*, *Eſſex* advanced to *Sawford*, within two or three Miles of *Oxford*, and the next morning drew up his Army on *Bullington-Green*, not above a Mile from that City, and faced it without oppoſition, and that Night marched to *Iſlip*. The Body of the King's Army was then at *Woodſtock*, *Kidlington*, *Bladen*, *Wolvercote*, and the adjacent Villages, whoſe Horſe in the Night gave *Eſſex* an Alarm, and a ſmall Skirmiſh happen'd between them, and in the mean time they drew their Ordnance and Carriages nearer *Oxford*.

Eſſex faces *Oxford*, *May* 29*th.*

On the 30*th.* of *May* ſome Letters intercepted by the Parliaments Forces in *Somerſetſhire*, were brought to the Committee of both Kingdoms, whereby they underſtood what a dangerous Condition the Town of *Lyme* was in, and how much the Royaliſts eſteem'd of that Place,

Lyme in great Diſtreſs.

20 *Caroli.*

Place, ſo as to account the keeping or loſs of a great part of the Weſt to depend on their taking or being repulſed from thence; whereupon Sir *John Bampfield* and Mr. *Nichols* were Ordered to go to his Excellency and Sir *William Waller*, to acquaint them therewith, and of the Neceſſity that *Lyme* ſtood in, that they may be ſpeedily releived.

On *Friday* Night, *May* 31. *Eſſex* ſent out a Party of his own Forces of the *London* Auxiliaries, to obtain the Paſſage over *Ainſlow-Bridge* between *Iſlip* and *Woodſtock*, which was guarded by a Party of the King's Forces: ſome Bickerings happen'd between them that Night, but about four a Clock next morning they began to Skirmiſh very fiercely, and ſo continued ſeveral Hours, and then a Party of *Skippon*'s came up and renewed the Diſpute, but the Royaliſts ſtoutly maintained their Poſt, and Cut off the Bridge, and kept the Paſs all that day; but the next Day being *Sunday*, *June* the 2*d*. they were forc'd to quit it: In this Action on the Parliaments ſide was ſlain Captain *Dean*, one of the Auxiliaries, and Collonel *Cunningham* had his Arm ſhot off with a Cannon-Bullet, with which he was ſo little daunted, that he held up the other, and ſaid, *I have one Arm yet left to fight for the Parliament*; but he dyed ſoon after. Lieutenant Collonel *Lloyd* and Serjeant Major *Mathews* were wounded, and above forty private Souldiers kill'd. The ſame day *Waller* forced his way at *Newbridge*, which was maintain'd againſt him by a Party of Muſqueteers, but he got ſome of his Men over in the Boats call'd *Punts*, at a little diſtance from the Bridge, who coming ſuddenly upon them, kill'd and took Priſoners moſt of them, and ſo clearly obtain'd the Paſſage, but were forced to lye three dayes there to repair the Bridge, and make it fit for the Paſſage of their Carriages. In the mean time concerning his Majeſty's Proceedings, we muſt be beholding to *Mercurius Aulicus*, Printed in thoſe dayes at *Oxford*, who gives this Account.

Eſſex gains the Paſs at *Ainſlow-Bridge*.

And *Waller* at *Newbridge*.

"*Munday*, *June* 3. Yeſterday in the Afternoon his Majeſty went "to *Woodſtock*, where his Horſe were Quartered, to ſee if all things "were in readineſs, and having Supt, and *Hunted* in his Park there, "returned to his Foot Army which were Quartered at and about "*Wolvercote*, amongſt whom he lay in his Coach all Night, and the "next morning gave Command for his Forces on the *Charwel* to "come up to his Army, and all together to march cloſe to the Walls "of *Oxford*, there to attend his further pleaſure, and about ſix of "the Clock in the morning came back to *Chriſt-Church*; where ha"ving put all things in Order for his departure, (for he knew his "Perſon was the *Game* which was moſt principally aimed at by thoſe "*mighty Hunters*) Commanded a great Body of Foot to march to"wards *Abington*, the better to amuſe the Rebels, and make them "look after him the wrong way: And the ſame Night about Nine "of the Clock, his Majeſty accompanied with Prince *Charles*, and "divers Lords and Gentlemen, beſides the Gentlemen of his Troop, "and his menial Servants, went out of *Oxford*, and came the next "morning to *Northlye*, where he drew up his Army, conſiſting (as "the Rebels certified to their Friends in *London*) of three thouſand "Foot, four thouſand Horſe, twelve Drakes, and about ſixty or ſe"venty Carriages. But whether they hit right or not, moſt ſure "it is, that his Majeſty left a Party of his Foot, a new rais'd Regi"giment of Horſe, under the Command of the Earl of *Peterborough*, "and all his great Ordnance (beſides the Garriſon and Ordnance of "the

King at *Woodſtock*, Sunday *June* the 2*d*.

The King goes from *Oxford*, *June* the 3*d*.

An: 1644.

"the place) for defence thereof; leaving behind the Duke of *York*, "and almoſt all the Lords of the Privy Council, and giving Order "for the Prayers and Sermons to be kept up conſtantly both on *Sun-* "*days* and *Tueſdays*, as if himſelf were preſent in his Royal Perſon. "The King having eaten and refreſht himſelf in the morning, *June* "the 4*th.* at Mr. *Parret*'s Houſe in *Northlye*, where he drew up his "Army, went forwards in the afternoon to *Burton on the Water*, a "Village between *Burford* and *Stow on the Wold*, where He and the "Prince lodged at Dr. *Temple*'s, one of the Prince's Chaplains; on "the 5*th.* marcht to the Town of *Eveſham* (out of which he took "with him the whole Garriſon, Ordnance and Ammunition, and "ſlighted the Works) and on *Thurſday* the 6*th.* to the City of *Wor-* "*ceſter*, where he was joyfully received with all ſignificant Expreſſi- "ons of Love and Duty.

King ſlights *Eveſham*.

Arrives at *Worceſter*. *June* the 6*th.*

Eſſex having Intelligence of the King's departure from *Oxford*, preſently gave Command to all his Forces to March to *Woodſtock*, and came on the 5*th.* of *June* to *Chipping-Norton*; and the ſame day *Waller* advanc'd from *Witney* to *Burford*, and ſo on that Night to *Stow on the Wold*; for about this time General *Eſſex* having the greater Ordnance and heavyer Carriages, concluded it fit that he ſhould March down into the Weſt for the Relief of *Lyme*, *Plymouth*, &c. and that Sir *William Waller* ſhould attend the King's Motions; whereas the Committee of both Kingdoms were inclinable to take other Meaſures, whereupon the Matter being Debated in the Houſe of Commons *June* the 11*th.* it was Voted, That the Lord General ſhould be deſired to draw his Forces back from towards *Salisbury* (near which he was now advanced) back again towards *Oxford*, and only ſend a Party (as was before Ordered) to Relieve *Lyme*, ane that Sir *William Waller* ſhould march into the Weſt, and that the purſuit of the King's Forces that lately went from *Oxford* ſhould be left to the Lord General: And this was the rather thought fit, becauſe by a former Ordinance Proviſion was made for the maintaining of Sir *William Waller*'s Army in the Weſt, and not where he then was: But the next Week the General giving Reaſons for the Neceſſity of his March, and conſidering that both Armies were already ſo far advanc'd the contrary ways, that they could not be recall'd without great obſtruction to Affairs, theſe Reſolves were ſet aſide, and it was determined by the Two Houſes that *Eſſex* ſhould proceed in his Expedition into the Weſt, and *Waller* to attend the King's Marches as they had reſpectively undertaken. But becauſe the Royaliſts had two Garriſons that much obſtructed the Trade of *London*, that is to ſay, *Greenland-Houſe*, ſcituate on the Bank of the River of *Thames*, hard by *Henley*, and *Baſing-Houſe*; the Parliament thought it neceſſary to Blockade theſe two for preventing their Excurſions; and therefore Collonel *Norton* with a Regiment of Horſe and Foot drew up about the latter, and ſeveral Troops of Horſe, and ſome Foot were Quartered near the former.

Debate whether *Eſſex* or *Waller* ſhould go into the Weſt.

Agreed that *Eſſex* ſhall march into the Weſt, and *Waller* attend his Majeſties motions.

Baſing-Houſe and *Greenland-Houſe* blockt up.

And the more effectually to reduce theſe, and other the King's Garriſons, whilſt *Eſſex* and *Waller* were employ'd, one to relieve the Weſt, and the other to follow the Army wherein the King was in Perſon as aforeſaid, the Two Houſes on the 7*th.* of *June* ſent a Committee into *London*, where at a Common-Council it was agreed, To ſend out a Brigade of Horſe, and another of Foot, under Collonel *Brown*, to be joyn'd with what Forces could be raiſed in the adjacent Counties, and thereupon next day there paſs'd the following Ordinance.

An.

20 *Caroli.*

An ORDINANCE of Parliament.

An Ordinance Conſtituting *Brown* Major General of all Forces for Reducing of *Oxford*, &c. and in the Counties of *Oxford*, *Berks* and *Bucks*, June 8.

THE *Lords and Commons Aſſembled in Parliament do hereby conſtitute and appoint Serjeant Major General* Richard Brown *to be Serjeant Major General of all the Forces raiſed or to be raiſed and employed by Authority of Parliament for the reducing of the City of* Oxford, *the Town and Caſtle of* Wallingford, *the Fort of* Greenland-Houſe, *and the Town and Caſtle of* Banbury; *as alſo Serjeant Major General of the Forces of the Counties of* Oxon, Berks *and* Buckingham, *and of the Forces of the ſaid City of* Oxford, *to ſerve for the defence of the King, Parliament and Kingdom, for this preſent Expedition: And do hereby will and require the ſaid Serjeant Major General* Richard Brown *to take the ſaid Forces into his Charge as Serjeant Major General, and to make his preſent repair unto the ſaid Counties: Giving him hereby Power and Authority to Command, Lead and Conduct the ſame into any part of the ſaid Counties or parts adjacent: Or (in the abſence of the Earl of* Eſſex, *Lord General) as Serjeant Major General to do any other Act or thing, as he in his Judgment ſhall think fit, for the Defence and Security thereof; and alſo to draw forth of the ſaid Counties ſuch well-affected Souldiers as will follow him for the Service aforeſaid; and alſo to ſecure the ſeveral Forts, Caſtles and Towns within the ſaid Counties, for the ſafety of King, Parliament and Kingdom, as aforeſaid, and preſervation of the aforeſaid Counties and Parts adjacent from ſpoil and rapine: And the ſaid Lords and Commons do hereby likewiſe Authorize the ſaid Serjeant Major General* Richard Brown, *to nominate and appoint all ſuch Officers as ſhall be by him thought requiſite for the better Conduct of the ſaid Forces, and diligently to Exerciſe the ſaid Forces in Arms, as alſo to Call together and Aſſemble* A Council of War, *to conſiſt of twelve Collonels or other Officers, or more, as he in his Diſcretion ſhall think fit, none to be under the Degree of Captains: And do conſtitute and appoint him Preſident of the ſaid Council, to Examine upon Oath all ſuch Witneſſes as he ſhall find neceſſary for the clearing of the Truth in Caſes which ſhall depend before him; and to hear and determine all and every Crimes and Offences to be committed or done by any Officer or Souldier under his Command, by Virtue of this Ordinance, and to Puniſh and Execute Juſtice upon them, and all Enemies which ſhall be under his Power, as he in his Judgment by the Advice of ſuch Council of War, according to the Rules of Martial Law, publiſhed by his Excellency the Earl of* Eſſex, *Lord General of the Forces for the King and Parliament, ſhall think fit: And to do any other thing whatſoever, as to him ſhall ſeem requiſite, for the infeſting and deſtroying of the Enemy in thoſe parts, and reducing the ſaid City of* Oxford, *Town and Caſtle of* Wallingford, *the Town and Caſtle of* Banbury, *the Fort of* Greenland-Houſe, *and parts adjacent: Commanding all Officers and Souldiers of the ſaid Forces to Obey him as their Serjeant Major General for the Service above mentioned, according to his Commiſſion given him. And the ſaid Serjeant Major General* Richard Brown *is likewiſe from time to time to obſerve and follow ſuch Orders and Directions as he ſhall receive from both Houſes of Parliament, the Committee of both Kingdoms, and the Earl of* Eſſex *Lord General, or any of them: And the Lord General is hereby deſired to grant a Commiſſion according to the Tenor of this Ordinance.*

Hen. Elſynge, *Cler. Parl. Dom. Com.*

And

An. 1644.

Brown to have 4200 Men out of *London.*

Brown marches out of *London*, *June* 20*th.*

Waller takes *Shudely-Caſtle*, June 9*th.*

The Skirmiſh between the Lord *Wilmot* and the Earl of *Denbigh*, at *Dudley-Caſtle*, *June* the 11*th.*

The King goes to *Bewdley.*

And on the 18*th.* they made another Ordinance for ſending out three Regiments of Auxiliaries, raiſed within *London* and its Liberties, conſiſting of four thouſand two hundred Men, and ſuch other Forces, Horſe or Foot, as the Committee of the *Militia* for *London* ſhould think fit, under the Command of the ſaid Major General *Brown*, for the ſervice aforeſaid.

And accordingly on the 20*th.* of *June* he marcht out of *London* with three Regiments of Auxiliaries, namely the *Red* under the Command of Collonel *Harſnet*, the *Blew* under Collonel *Pindar*, and the *White* under Collonel *Shepherd.*

But we muſt for a while leave him on his March, and alſo General *Eſſex* advancing into the Weſt, and firſt attend the Motions of his Majeſty and the oppoſite Army under Sir *William Waller.*

The King (as you have heard) advancing from *Oxford*, with ſpeedy Marches came to *Worceſter* on the 6*th.* of *June.*

Waller on the 5*th.* of that Month came to *Stow in the Wold* in *Gloceſterſhire*, quartered there the 6*th.* and 7*th.* and on *Saturday* the 8*th.* marching towards *VVinchcomb*, faced *Shudely-Caſtle*, drew off a Commanded Party to attacque it, and plaid upon it with his great Ordnance, which that Evening happen'd to kill the Gunner of the Caſtle, which diſcouraging thoſe within, the next morning they Surrendred *at Diſcretion*; there were taken Sir *William Morton* a Lawyer, High Sheriff of *Gloceſterſhire*, and Governour of that Caſtle for his Majeſty, Lieutenant Collonel *Sawyer*, Major *Ouldham*, Major *Lloyd*, five Captains, two hundred and fifty Common Souldiers, three Pieces of Ordnance, with Store of Ammunition and Proviſion, and a hundred Quarters of Grain. Here *Waller* ſtaid 'till *Munday* the 10*th.* and then marched to *Eveſham*, where he Quartered the 11*th.* and 12*th.*

His Majeſty was ſtill at *Worceſter*, and underſtanding that the Earl of *Denbigh*, aſſiſted by Collonel *Mitton* and Sir *Thomas Middleton*, had for ſome time Beſieged *Dudley-Caſtle* in *Stafford-ſhire*, on *Tueſday* the 11*th.* of *June* ſent the Lord *Wilmot* with the Earl of *Northampton*'s, and the Earl of *Cleaveland*'s Brigades of Horſe, and a thouſand Foot, to raiſe that Siege, and Relieve the Caſtle: But they were not able to effect either; for the Earl upon Notice of their approach, ſent out a Forlorn Hope, Commanded by Collonel *Mitton*, Governour of *Wem*, whom *Wilmot* Charged with ſuch Fury, that they were all like to be cut off, and ſeveral Officers adviſed *Denbigh* not to venture out to their Relief, but rather for their own Preſervation to keep their Trenches, and there with advantage expect the Enemy; but *Denbigh* reſolved to hazard all to help his Friends, drew out his Forces, and led them on in Perſon, giving ſo ſmart a Charge, as not only reſcued his Forlorn, but obliged the King's Party to retreat without performing their Errand, and with ſome Loſs: On *Denbigh*'s ſide Captain *Glover* was ſlain, and ſeveral Common Souldiers, others wounded, and about half a ſcore taken Priſoners. *Waller* hearing that *Denbigh* was thus engaged, ſent a Party of Horſe from *Eveſham* to his Aſſiſtance, but the King's Forces were return'd before they came up.

On *June* the 12*th.* his Majeſty marched with his Army from *Worceſter* to *Bewdley*, where he ſtaid two dayes, which occcaſion'd *Waller* to march on the 13*th.* to *Bromeſgrove*, and quartered ſome of his Horſe at *Kidderminſter*, within two Miles of his Majeſty.

Waller had the Advantage, if not in Numbers yet in reſpect he had a full proportion of Pikes and Ordnance, both which the King wanted;

wanted; beſides *Waller* was in Expectation to have the Forces under the Command of Collonel *Maſſie*, the Earl of *Denbigh*, Sir *Thomas Middleton*, Sir *William Brereton*, Collonel *Mitton* and Major *Rigby*, out of *Gloceſter*, *Staffordſhire*, &c. joyn with him, which would have made a very formidable Army; wherefore his Majeſty took up Reſolutions to return to *Oxford*, and in purſuance thereof on *Saturday* the 15*th.* gave Order to ſome Troops of Horſe to ſhew themſelves along the *Severn* towards *Bridge-North*, as if he meant to march directly to *Shrewsbury*; whereupon *Waller* preſently diſlodg'd, and made all the haſt he could to get before him: But his Majeſty ſuddenly turn'd back with his Foot, and came before Night to *Worceſter*, whither his Horſe ſoon after followed, leaving *Waller* two dayes march behind. The next day being *Sunday*, *June* 16*th.* the King marched through *Eveſham* (whence he took ſome of their Magiſtrates along with him Priſoners, for having expreſs'd too much kindneſs to the Parliaments Army, when lately Quarter'd there) and that Night quarter'd at *Broadway*, and next day to *Burford*, within twelve Miles of *Oxford*, whither he diſpatcht his Commands to have Ordnance, Arms and Ammunition brought to him, together with as many of the *Tertia* that was there left behind as could conveniently be ſpared, to encreaſe his Army; to meet with Accomodations; on *Tueſday* the 18*th.* he came to *Witney*, and quarter'd his Horſe in Villages near and upon the Banks of the River of *Thames*, from *Newbridge* unto *Lethlade*, a Town in *Gloceſterſhire*; where having ſtaid three Nights, on the 21*th.* of *June* he held a General Rendezvouz at *Campsfield* near *Woodſtock*, and quartered that Night at *Blechington*, and next day advanced to *Buckingham*, whence his Troops made ſeveral Incurſions into the neighbouring parts, as *Bedford*, *Dunſtable*, *Laiton*, &c. and haraſs'd the Countrey, which much alarm'd the Aſſociated Counties, into which it was believ'd the King deſign'd further to advance.

The King unexpectedly returns towards *Oxford*, 15 *June*

King Rendezvouzes near *Woodſtock*, *June* 11.

But *Waller* made all the ſpeed he could to oblige the King to return, for being on the 15*th.* of *June* got to a place called *Wordſly*, near *Dudley-Caſtle*, having receiv'd this Advice that his Majeſty was marcht towards *Oxford*, he on *Munday* the 17*th.* came to *Saltwyche*, the 18*th.* quarter'd near the *Town Percial*, but to prevent his coming into it, the Inhabitants reſolv'd to pull down their great Stone-Bridge, in doing whereof after they had demoliſht three Arches, the reſt ſuddenly tumbled down, whereby about threeſcore of the Workmen were either knock'd o'th' Head or drowned. Thence on the 19*th.* he marcht to *Tewxbury* (not long before taken for the Parliament by Collonel *Maſſie*, and on *Fryday*, *June* 21*th.* lay near *Gloceſter*, where he was recruited with two hundred and ſeventy Muſqueteers, and a Company of Dragoons, and a hundred Muſqueteers from *Malmsbury*, (all that *Maſſie* could ſpare) and ſo marched by *Stow*, *June* the 24*th.* to *Shipſon upon Stower*, and ſo towards *Banbury* and *Chipping-Norton*.

Waller's Marches.

The King being advertiz'd of *Waller's* advance, on the 26*th.* marcht from *Buckingham* to *Brackley*, and next day to *Culworth*, lodging that Night at Sir *Samuel Danver's* Houſe: The ſame Night *Waller* quartered at *Hanwell*, and underſtanding the King's Army to be ſo near, on the 28*th.* of *June* drew his Forces into Battalia on the Foot of *Crouch-Hill*, about half a Mile Weſtward of *Banbury*, and the King's Army faced them all that day, but the River *Charwell* was between them: The next morning being *Saturday*, *June* 29. *Waller* was again in

An. 1644.

Waller worſted at *Cropedy-Bridge*, *June* 29th.

in Battalia, 'till perceiving that his Majeſty drew off, and marched towards *Daintry*, leaving a Guard of Dragoons at *Cropedy-Bridge*, which was to paſs over *Charwell*, between the two Armies; *Waller* thereupon commanded Lieutenant General *Middleton* with two Regiments of Horſe and ſome Companies of Foot to fall upon their Rear, who ſoon beat off that Guard at the Bridge, and marching over, Charged the Kings Forces, ſuppoſing it to be their Rear; but the Horſe having purſued them a while, found a greater Party of the Kings yet behind them that had got between the Bridge and thoſe Foot which came over with them, and taken ſeveral Pieces of Ordnance that were brought over the Bridge, and not ſufficiently guarded; ſo that they could not make their way back without great loſs and difficulty, but at laſt they effected it, the Bridge being made good and ſecured for their Retreat by the Regiments of the *Tower*-Hamlets; the Service was very hot whilſt it laſted: On the King's ſide were ſlain two *Kentiſh* Knights, Sir *William Boteler* and Sir *William Clark*, the Lord *Wilmot* wounded, and one taken Priſoner, but reſcued again by Sir *Frederick Cornwallis* and Mr. *Robert Howard*, (who for the ſame was afterwards Knighted:) On the Parliaments Party Collonel *Weems* a *Scotch* General of the Artillery was taken Priſoner, as alſo Lieutenant Collonel *Baker* (of Sir *William*'s own Regiment) Lieutenant Collonel *Baynes* and ſeveral other Officers; Collonel *Middleton* was diſmounted amongſt the Kings Forces, of whom one taking him for a Commander of theirs, mounted him again, and bid him *make haſt and kill a Roundhead*, ſo he eſcaped. *Waller* loſt five Drakes, a Minion, ſeveral Leather Guns of *Weemſe*'s Invention and making, and ſome Colours. The Royaliſts gave out that they kill'd one hundred and fifty on the place, and beſides Officers took Nine ſcore and eight Common Souldiers, and five Gunners, and that themſelves loſt but the ſaid two Knights, and at moſt fourteen Common Souldiers: The Parliamentarians related that they kill'd a hundred, and took ſixty Priſoners, and acknowledg'd on their ſide but twenty three killed, and a hundred taken Priſoners.

Waller after his Forces were got back over the Bridge, maintain'd it, and kept his Men drawn up, and both Armies faced one another the reſt of that day, and the Cannons plaid on each ſide; in the Night they alarm'd each other, but little Execution done, and in the morning the King's Army was drawn off, and *Waller* marched over *Cropedy-Bridge*, and ſo, on *Tueſday* the 2*d.* of *July* to *Toceſter*, where Major General *Brown* met them, but marched with them only 'till *Thurſday* towards *Northampton*, and then marched away to the Siege of *Greenland-Houſe*, and on the 11*th.* of *July* the Regiments of *London* Auxiliaries that went forth with *Waller*, *May* the 12*th.* came home again to the City.

The Kings Army drawn off.

SECT.

20 *Caroli.*

SECT. II.

June, 1644. *The Earl of* Essex *his March into the West.*

WE *now proceed* to mention the Earl of *Essex his Marches*, and the *Affairs of the West.*

On *Munday*, *June* the 10*th.* the Earl of *Essex* quarter'd at the Marques's of *Hartford*'s House at *Tottenham*, in the way to *Salisbury*, but he left that Town on the left hand, and only sent Sir *William Balfore* thither, with two Regiments of Horse, to attacque three hundred of the King's Cavalry, that had for some time lain there, but were dislodg'd and gone about an Hour before *Balfore* came up, who pursued them some Miles, but could not overtake them.

Essex near *Salisbury.*

A principal part of the General's Design in the West, and particularly given him in Command from the Parliament and Committee of both Kingdoms, by their Directions of the 30*th.* of *May*, was to Relieve *Lyme-Regis*, a Port-Town in *Dorsetshire*, which had long been Besieged by Prince *Maurice*, the Lord *Pawlet*, and other Persons of Quality, with a considerable Army of Horse and Foot: The Town had in it a Garrison of about a thousand, who made a brave, or indeed *wonderful* Defence, considering the meanness of their Works, the ill Scituation of the Town, Commanded by several Hills that lye about it, and especially in reguard of the Gallantry and Resolution of the Besiegers, who Exposed the Lives of their Men, in hopes to be Masters of it. This Siege therefore being so remarkable, I conceive it may not be unwelcome to the Reader to present him with a Journal of each dayes Action, which though it be *Ex parte*, and drawn up only by them of the Town, yet even therein the Courage and Industry of the Assailants is apparent as well as of the Defendants.

The Siege of *Lyme* by Prince *Maurice.*

A JOURNAL *of all the Passages of the Siege of* Lyme, *Collected by the Governour and Captains of the Town, and sent by them to the Earl of* Warwick, *Lord Admiral.*

A Journal of the Siege of *Lyme*, which began *Apr.* 20. 1644.

The 20th. *of* April.

THE Enemy Besieged Us, took *Hay* and *Calway-House*, raised a Battery within Musquet-shot off our Town.

The 21*th.* the Enemy approacht within Pistol-shot of our Town, and played the great and small Shot very hotly, though with little Damage. Also this day a great part of the Forces at *Stadcom* were Commanded off, and way-laid by the Enemy, but forced their Passage, without the Loss of any, but some wounded. In the Night

An. 1644. they raiſed another Battery Weſt, commanded by the firſt, from whence came many great ſhot, both of Demicannon and whole Culverin, which did much annoy us; beat down Captain *Marſh*'s Fort, and he himſelf was ſlain: This Evening we ſent to *Pool*, to acquaint them with our ſad Condition.

22*th.* *Stadcombe-Houſe* was taken by the Enemy.

23*th.* We Sallyed out with ſixty Men, and ſeized upon their *Guns*, took the Prince's Colours, killed to the Number of an hundred, amongſt whom was Captain *Billet*; took thirty, whereof one a Lieutenant, another an Enſign, but the Evening came on ſo faſt, that we were forc'd to Retreat, and left their Guns: Captain *Road*, the Captain of our *Forlorn-Hope* was ſhot in the Head, but is upon Recovery.: This Night another Battery was raiſed in *Colway-Meadow*.

24*th.* This day the Enemy played very hot with their Ordnance, but did little hurt, two *Dunkirk* Men of War lay before Us.

25*th.* This day our Ship was betrayed, wherein we loſt Priſoners of ſome worth, to the Number of fourteen, very little Powder was by this time left in our Town.

26*th.* Some Supply by Shipping.

27*th.* From the firſt Fort they ſhot in Granadoes and Fire-Arrows into the Town: This Night they raiſed another Work at the Eaſt-ſide of the Town, beat down Captain *Nevil*'s Fort, and did ſome hurt to the Town.

28*th.* In the morning the Enemy offered to *Storm*, but their Souldiers were backward to it, nevertheleſs they beſtowed Powder and Shot ſo freely upon us, that their Firing ſeemed a *Continual Blaze*, which was diſcovered by Captain *Seamaſter* and Captain *Jones*, then off *Portland-point*, who made all poſſible ſpeed to our relief; the ſight of theſe two Ships did diſcourage the Enemy, and put life into our Souldiers; they ſupplyed us with ſome Powder and Bullet, and other things which we wanted: This day the Enemies Ordnance played hot upon us.

29*th.* Theſe Ships landed a hundred Men to aſſiſt Us, the Enemy ſeemed not to be daunted with it, but fired very hot upon them, and made their approaches nearer our Line; they ſhot in ſome Fire-Arrows, which did no hurt nor affrighted our Men.

The 30*th.* This day with the bold Sea-men and others we Sallyed out, and laid hold once more of their great Guns, Cloyed ſome of them, loſt Major *Harrington*, unhappily kill'd by one of our own Men, but ſo many of the Enemy were ſlain, that the Water that ſerv'd the Town was Colour'd with Blood.

May *the* 1*ſt.*

They gave us a thundering Alarum in the Morning, and began to make their *Fort-Royal* againſt Captain *Davies* Fort; the next day, the 3*d.* 4*th.* and 5*th.* dayes the Enemy lay very quiet, the Weather being ſo Tempeſtuous that we doubted of the ſafety of our Shipping.

On the 6*th.* the Enemy according to their former Cuſtom pelted ſomewhat hotly, and in the Evening ſtormed us very gallantly, to the loſs of at leaſt a hundred or more; they loſt Collonel *Blewet*, and as far as we can hear Collonel *Strangewayes* his Brother, Captain *Mollineux*, and Captain *William Pawlet* of *Melpaſh*, were taken Priſoners; *Pawlet* is ſince dead, the Enemy being all the reſt of the Night ſilent.

On

20 *Caroli.*

On the 7*th.* the Enemy ſent to demand the Body of Collonel *Blewet*, and deſired Liberty to bury their dead, which was accordingly granted, and took up all that day, ſcarce a ſtroke paſſed, and the Night proved as ſilent.

8*th.* They drew their Army into Two Bodies, which kept us in perpetual Alarums all the Afternoon, and the Night; this Night alſo came in Captain *Cox*, with his Shipping, which yielded us ſome Relief both of Men and Proviſions: Captain *Pawlet* dyed this Night of his Wound he received in Storming.

9*th.* This day proved as ſilent as the Weather quiet, only in the Afternoon the Ordnance thundered on both ſides, and in the Night Vollies of ſmall ſhot rattled bravely.

10*th.* This day the Enemy raiſed a *Breaſt-work* on the Weſt-end of the Town, playing with ſmall ſhot, and ſometimes great.

11*th.* This day Captain *Jordan* and Captain *Man*, with his Squadron, arrived ſafely, who brought with them to our aſſiſtance, Major *Catsforch*, and three Companies more, ſent by Sir *William Waller* from *Portſmouth*; the Enemy played upon them as they were landing, but did them no hurt. This Evening the Enemy ſhot a great ſhot into Captain *Davies* Fort, which killed our principal Gunner and two more.

12*th.* This day they ſhot in divers Balls of Wild Fire, but did no hurt, only fell into a Houſe. Captain *Jones* diſpatched from *Portſmouth* with Letters to Sir *William Waller* and others, from the Committee. This day the Enemy began two ſtrong Batteries, very near our *Line* on the Weſt, and two more were raiſed againſt them, which did ſomewhat trouble them.

13*th.* This day we played on their Batteries with our Ordnance very hot, did ſome miſchief; ſmall Shot ratled on both ſides with little Loſs on our part.

14*th.* This day the Enemy was very ſilent; in the Afternoon we ſent out a Party for diſcovery, which rouſed them: We found their Quarters ſtrongly man'd, and about Midnight another Party was ſent upon a contrary Quarter, which did ſome Execution and retreated without loſs.

15*th.* This day we received a Culverin from Captain *Seamaſter*, which we placed in one of our New Batteries.

16*th.* The Enemy endeavoured to make up their Breaches made in their Batteries by our Ordnance, but could not, being continually battered.

17*th.* This day the Ordnance which we thought had been drawn off, began to ſpeak, after three dayes ſilence. This Night they made *a Line* in oppoſition to ours Northward; theſe two dayes they played their Ordnance very thick upon the *Cobb*.

18*th.* This day we Sallied out and enter'd their *Fort-Royal*, ſplit their Guns, took twenty Priſoners, beat them home to their *grand Quarter*, and returned with little Loſs: In the Evening they played hot again in the *Cobb*, and continued making up of their Trenches.

19*th.* This day there was a Ceſſation of Arms for the ſpace of an hour, for the fetching off three which were loſt in the *Sally*; our Ordnance ſlew many at their grand Quarter; this Night proved very ſilent.

20*th* This Morning the Enemy came by Lieutenant Collonel *Blake*'s quarters, and approached near the *Cobb*, inſomuch that they took off

An. 1644.

off a Ships Colours from her Stern, and afterwards fetcht two Horſes cloſe to a Party that was ſent out to reſcue them.

21*th.* This day the Enemy intrenched themſelves at the Weſt end of the Town, near the Sea ſide, ſhot many Shot into the *Cobb*. This Night a Half-moon Breaſt-work was raiſed againſt Captain *Gaitch*'s Fort, and approached near that part of the Line.

22*th.* This day a Party of the Enemies Foot faced the *Cobb*, and after ſome few ſhots entred it, but were beaten out quite by a Party of ours; another Party at the ſame time iſſuing forth, entred one of their Works, but could not keep it by reaſon of the Evening approaching, and retreated with ſmall Loſs, only Capt. *Pyne* was dangerouſly wounded. This Evening proved very ſilent, by reaſon of their fetching out ſuch things as were in the Ships, which they that Evening had burnt.

23*th.* This day the Earl of *VVarwick* arrived here, which was a great Encouragement to our Souldiers: In the Evening the Governour and Lieutenant Collonel *Blake* were ſent aboard to Conſult with his Lordſhip.

A further Account of this Town appears by the Earl of *Warwick*'s Letter to the Lords, as followeth.

To the Right Honourable my very good Lord, the Speaker of the Houſe of Peers, theſe preſent.

My Lord,

The Earl of *Warwick*'s Letter, touching his Relieving *Lyme-Regis*, 30 *May*, 1644.

COming before Lime Regis *this day ſeven night in the Morning, I found the Town under a very ſtreight and cloſe Seige, the Proceedings of the Enemy, and of the Towns defence 'till my coming, will be offered to your Lordſhips Knowledge by the incloſed, being a Copy of Collonel* Were's *Journal to that time. At my Arrival in the Bay, I found the Town in very great want of Victuals and Ammunition; though for their neceſſary ſubſiſtance, Captain* Somerſted, *Captain of the* Mary Roſe, *(whom I had formerly ſent hither for their Encouragement, together with Captain* Jordan, *Captain of the* Expedition, *Captain* Cock, *Captain of the* Mary Flower, *and Captain* Jones, *Captain of the* Ann *and* Joyce,) *had ſpared them out of his Ships ſtores thirty five Barrels of Powder, and a good quantity of Bisket and other Proviſions, beſides ſome Victuals delivered them out of Captain* Jordan *and Captain* Jones. *At my firſt coming I ſent them on ſhore thirty eight Barrels of Powder, and ſome proportion of Match, directed to them from the Committee for the Weſt: I alſo contracted with a* Sandwich-*man for near four hundred pound worth of Corn, Malt, Butter, Cheeſe,* &c. *they not having left in the Town two dayes Bread: The Night before my coming the Enemy had burnt near twenty Barks belonging to the Town, and ſome that were left they burnt the Night following; the ſame Night Captain* Pine *was wounded, and is ſince dead. On* Saturday *I received a Letter from Captain* Ceely *the Governour, importing the Neceſſities of the Town, and praying a ſupply out of the Ships-ſtores, without which they could not longer maintain the Siege: I was fully informed of the Gallantry of the Defendants, the Garriſon conſiſting of about eleven hundred Men, who though*

they

20 Caroli

they wanted Shooes, Stockings, Cloaths and Pay, and had been kept on the Line from the beginning of the Siege without relief, yet were every of them reſolved to hold to the utmoſt point of time, and when all failed, to make way through the Enemy with the Sword: Their Condition and Courage had ſuch Operation on the Sea men of my Ship, that they did unanimouſly conſent to give them one fourth part of their next four Months Bread, and to bate it proportionably out of every dayes Allowance, yet with hopes that the State would make it good again; they did alſo out of their own little Abilities ſpare them divers pairs of Boots, Shoes, Stockings, Cloaths, and ſome Victuals, ſaved out of their former Allowance.

On Munday *laſt I called a Council of War aboard, and upon Conſultation with one of the Commanders ſent from the Council of War in time, we reſolved to ſpare them out of the Ships twenty thouſand weight of Bread, beſides the Sea-mens ſeven thouſand, a hogshead of Beef, a hogshead of Pork, ſome Shot, whereof part was ſent on ſhore that day. The ſame day I received a Letter from the Commanders in* Lime, *deſiring that ſome of the Sea-men might be ſent to guard their Line, while others of their* Garriſon *ſallied upon the Enemy, and our Council of War reſolved to ſpare them three hundred Men; but inſtead of giving a* Salley *the Town received a* Storming *that day from the Enemy, at which time there were about ſixty of the Enemy, and but eight of the Town ſlain, and a few wounded, amongſt whom Collonel* Were *was ſhot in the Belly, (but not mortally) and Lieutenant Collonel* Blake *had a ſlight hurt in his Foot: Three Captains were appointed to lead the* Forlorn-Hope, *of which Captain* Southern *(who had on the Lord* Paulet's *own Armour) was ſlain on the place, Captain* Aſton *was taken Priſoner, and brought aboard the* James *on* Tueſday *morning, and the third Captain eſcaped; the dead that then fell were left upon the place, the Enemy declaring that they would bury them, and take in the Town together; by this* Aſton *I received notice that the Beſiegers were about two thouſand five hundred Horſe and Foot, that Prince* Maurice, *the Lord* Paulet, *and Sir* John Barclay *were in the Leaguer.*

The Garriſon having by this Succeſs received encouragement, they reſolved to proſecute their former intention of Sallying on the Enemy, they being much tired out with continual Duty, and the Proviſions ſpared out of the Ships being not ſufficient for many dayes ſupply, the Souldiers ſpending about twelve hundred weight of Bread a day, and there being about four thouſand Souls in the Town. In purſuance therefore of the former reſolution, I ſent the three hundred Men on ſhore with ſafety on Tueſday *Night, half of them being ſent before-hand in ſome ſmall Veſſels that lay near the Town. The ſame* Tueſday *I reſolved before the time determined for Sallying (which was to be communicated to us by a Sign from Captain* Davie's *Fort) to ſend all our Ship-boats (filled with Men) as alſo the* Expedition *and the* Warwick-Frigat *to ply to and again on the Eaſt ſhore (there being ſeveral Vallies at* Charmouth, Bridport, *and other places within five or ſix Miles of* Lime, *that gave an oppertunity of Landing) hoping that by giving an Alarm there, I might draw off from about the Town the Enemies Horſe, (which the Towns-men moſt feared) and happily ſome of their Foot, whereby the Beſieged might gain the more advantage. Yeſterday I accordingly ſent out the Ships and Boats, and by an Alarm given, obtained that which was in our deſign, four or five Troops of Horſe, and ſome hundreds of Foot, giving a continual attendance upon the motion of our Boats; the Enemy it ſeems was upon obſervation of our Boats miſtaken in our purpoſes, conceiving that our Boats had drawn off ſome of the Garriſon, intending to land them on the*

Eaſt

An. 1644.

East shore, for the getting of Provision into the Town, or for falling upon their Rear, hereby supposing the Town to be weakned, they resolved upon another storming, which began yesterday about four of the Clock, near to the time agreed on for Sallying; they made three Assaults, and did twice make an orderly Retreat; the third time they came on with as much bravery and resolution as could be in Souldiers, which was as gallantly received by the Towns-men: The Fight was continued with extream violence from about six of the Clock at Night for two hours, there being a continued Volley of great shot and small shot. The Issue was, there fell of the Enemy (by computation of some that came this day aboard) four hundred, and of the Garrison there was slain and hurt six or seven men; the last night and this morning there is in the Town a more than ordinary silence. Thus have I represented to your Lordship the state of this Town, hoping that some speedy course will be taken for their relief; their Fidelity and Courage God hath much honoured, and it is pitty delaying of supply should hazard the least blunting of their resolution: There be men of very considerable reputation in the Town, who will be able (if freed from this Siege) to serve the State, by raising a good body of men in these parts. If Lime *be lost, it will have a very ill influence, the inclination of these parts depending on the success of that Town, which the Enemy values not so much for it self, as for the men that are in it, who if at liberty, will quickly get a strength together, which the Countrey will be well disposed to close withall. It will be an act very worthy the Houses of Parliament to hasten towards them some Forces by Land, and some Victuals and Ammunition by Sea; that such precious and distressed Spirits may not become a prey to Famine or to a cruel Enemy; so desiring your Lordship to communicate this to the House of Lords, together with a tender of my Humble Service, I commend your Lordship and all your Counsels to the blessing of Heaven, resting*

Your Lordships Humble Servant,

WARWICK.

From on board his Majesties Ship the James, *at an Anchor before* Lime Regis, 30 May, 1644.

Thanks to the Admiral.

Upon the Receipt of this Letter, it was Voted by both Houses, that the Earl of *Warwick* had herein done an *Acceptable Service*, and that a Letter of Thanks be sent to his Lordship. And also Ordered,

And 1000 *l. per Ann.* to the Town of *Lyme.*

That 1000 *l. per Ann.* out of the Lord *Pawlet*'s Estate, should be Conferr'd upon the Town of *Lyme*, for their good Service; and that plenary satisfaction should be given unto the Inhabitants for their Losses sustained by this Siege.

But though the Town by this Succour was much assisted and encouraged to hold out, Prince *Maurice* still continued his Siege, and made many gallant Attempts to storm it, which were no less bravely repuls'd, the very Women disdaining dangers, assisted the Souldiers in their Works, filling their Bandileers with Powder, and bringing Necessaries to Encourage them; and one of that Sex was reported, in one time of Storming to have discharged sixteen Musquets on the Assailants. Thus it continued 'till the 13*th.* or 14*th.* of *June*, at which time Prince *Maurice* being advertis'd that *Essex* was advancing as near as *Dorchester*, thought fit to raise his Siege, and so about Two a Clock in the Morning drew off his great Guns (all

Prince *Maurice* raises his Siege from before *Lyme*, *June* the 15*th.*

but

20 *Caroli.*

but one, which could not conveniently be carried away, and ſo was afterwards ſeized by the Beſieged) and his Army divided, part going towards *Briſtol*; but the Prince himſelf Quarter'd on the 17*th.* at *Hunnington*, and the 18*th.* arrived at *Exeter*. The Townſmen of *Lyme* related, that in all this long and deſperate Siege they loſt not above ſix-ſcore Men, and that one way or other the Beſiegers loſt near two thouſand, whereof ſeveral Commanders and Perſons of Note. On *Sunday* the 23*d.* of *June* publick Thanks were given in the Churches of *London* for this Deliverance of *Lyme*.

Thankſgiving for raiſing that Siege.

In the mean time *Eſſex* on the 15*th.* took poſſeſſion of *Dorcheſter*, and not knowing what had paſſed at *Lyme*, diſpatcht away a Party thither, under the Conduct of Sir *William Balfore*; who finding the Siege there raiſed, marcht on to *Weymouth*, and Summon'd that Town for the King and Parliament, which Collonel *Aſhburnham* the Governour refuſed, but finding himſelf unable to defend it, withdrew himſelf into the Iſle of *Portland*, and the Garriſon at laſt Surrendered on theſe Conditions, *viz.* That the Town, with all the Arms, Ammunition, Ordnance and Ships, be delivered up; the Commanders and Officers to March away to *Exeter* on Horſeback with Swords and Piſtols, and the Common Souldiers only with Staves in their Hands: Here were ſaid to be taken near a hundred Pieces of Ordnance, great and ſmall, two thouſand Muſquets, one thouſand Swords, one hundred and fifty Caſe of Piſtols, two hundred Barrels of Powder, and about ſixty Sail of Ships of all ſorts in the Harbour. On the 19*th.* of *June* the Lord General came to *Weymouth*, and the Earl of *Warwick* came aſhore, and had Conſultation together.

Weymouth taken for the Parliament.

About this time ſome Jealouſies and Miſapprehenſions were like to happen between the two Houſes and *Eſſex*. His Excellency preſs'd for Money for his Army, and it was ſuggeſted as if more Care were taken for ſupplying of *Waller* than him: On the other ſide ſome of the Members ſeem'd to diſapprove of his Conduct in Marching into the Weſt, alleadging *Lyme* might as well have been relieved by a Party of Horſe, without carrying the whole Army ſo far that way, *&c.* to which *Eſſex* anſwer'd pretty warmly, and concluded one of his Letters thus — *Your innocent though ſuſpected Servant*; whereupon a a Committee was appointed to draw up a Letter to him, which was as follows.

Eſſex has ſome Diſcontents, and the Occaſion.

A LETTER to the Earl of *Eſſex*.

My Lord,

A Letter from the Parliament ſomewhat harſh to *Eſſex*, *June* 19. 1644.

WE *are Commanded by the two Houſes of Parliament to acquaint your Lordſhip, that the Committee of both Kingdoms have reported to them the Deſigns of carrying on the War, with the Letters ſent to your Lordſhip in proſecution of thoſe Deſigns, and the ſeveral Anſwers; and that they are of Opinion, if the Reſolution of the Houſes, and the Direction of the Committee of both Kingdoms had been followed, the Publick Affairs had been in a better Condition than now they are; eſpecially in theſe Parts. And we are alſo to let your Lordſhip know, that in your Letters to the Committee of both Kingdoms, of the* 14th. 16th. *and* 17th. *of this inſtant* June, *and that other to the Houſes, there are many Expreſſions might well have been forborn, and do not queſtion but*

An. 1644. *you do now wiſh they had not been written. But to make the beſt uſe of their Affairs as they now ſtand, they find themſelves neceſſitated to uſe New Counſels, and would have your Lordſhip to take all Advantages on the Enemy, and uſe your beſt Endeavours for reducing the Weſt. And although they find themſelves much diſcompoſed by your Lordſhips going into the Weſt, in reſpect of the Pay of the Army, yet the Houſes are in preſent Conſideration thereof, and will endeavour to ſettle it to the ſatisfaction of both Armies, and do expect that ſuch Directions as your Lordſhip ſhall from time to time receive from them, or the Committee of both Kingdoms, be for the future Obſerved: And this being all we are commanded to ſignifie anto your Lordſhip, we remain,*

June 9. 1644. My Lord,

Your Lordſhips Humble Servants.

June the 21*th.* the Earl of *Eſſex* ſent a Summons to *Wareham*, a Town about four Miles from *Pool*, which about the middle of *April* had been taken from the Parliament by Collonel *O Bryan*, (my Lord *Inchiquin*'s Brother,) through the Default (as was ſaid) of one Captain *Morton*, at that time Captain of the Watch. But this Summons meeting with a Denyal, the Earl thought not fit to ſpend time on a Seige, but on the 26*th.* advanced to *Chard*, within two and twenty Miles of *Exeter*, where the Queen as yet had her Reſidence, having on *Sunday* the 16*th.* been happily delivered of a Daughter, (the Princeſs *Henrietta.*)

The Princeſs *Henrietta* born *June* 16. 1644.

Whilſt *Eſſex* Quartered at *Chard*, her Majeſty ſent a Meſſage, deſiring a ſafe Conduct to *Bath* for the Recovery of her Health, and afterwards by another Meſſenger, for a ſafe Conduct to *Briſtol*, to which he return'd an Anſwer to this effect, *That if her Majeſty pleaſed he would not only give her a ſafe Conduct, but wait upon her himſelf to London, where ſhe might have the beſt Advice and Means for Reſtoring her Health; but as for either of the other places he could not obey her Majeſties deſires, without Directions from the Parliament.*

The Queens Meſſage to *Eſſex.*

His Anſwer.

Whereupon her Majeſty not judging her Perſon ſafe at *Exeter*, as ſoon as ſhe was in any Condition to Travel, removed from thence, and on *Sunday*, *July* the 14*th.* took Shipping at *Falmouth*. *Warwick* had Ordered ſeveral Ships to attend at *Torbay* to intercept and hinder her Paſſage; yet her Majeſty with a *Flemiſh* Man of War, and ten other Ships, adventured out, and by the advantage of the Wind avoided any Annoyance from the Parliament Fleet, who yet purſued with all the Sail they could make, and one Frigat came up and diſcharg'd ſeveral ſhots at them; but her Majeſties Ships coming out freſh Tallow'd and Train'd for ſo important a Service, had the advantage of them in ſailing: And to prevent the worſt, there was provided a Galley with ſixteen Oars, which might have carryed off her Majeſty if they could have come up; but without needing to make uſe thereof; her Majeſty landed ſafely at *Breſt* in *France*, and reſided in that her Native Kingdom from henceforth 'till after the Reſtauration of the Royal Family.

Her Majeſty leaves *England* *July* the 14*th.*

Lands at *Breſt.*

From *Chard*, *Eſſex* marcht to *Tiverton*, *July* 5. and whilſt he lay there, Prince *Maurice* ſending a Party to *Barnſtaple*, the Townſmen having Notice of their coming, ſhut the Gates againſt them, and ſlew ſeveral of them, and immediately ſent a Meſſenger to *Eſſex*, who

Eſſex marches to *Tiverton*, *July* the 5*th.*

diſpatcht

dispatcht the Lord *Roberts* with a strong Party thither, to secure and settle the Town, which they did accordingly. 20 *Caroli*

Here was taken one Captain *Howard*, who being formerly Lieutenant to Captain *Pym*, ran away with Nineteen Horse to the King's Party, for which being now by *Essex* call'd before a Council of War, he was Condemn'd and Executed; in revenge of whose Death Sir *John Barkley*, Governour of *Exeter*, having in Custody one Captain *Turpin*, (a Sea Captain that attempted to Relieve that City when the Earl of *Stamford* was Besieged in it, and for the same being Indicted for Leavying Arms against the King, was by Judges, *Heath*, *Forster*, *Banks*, and Serjeant *Glanvil*, Condemned, but hitherto Reprieved) the Governour now by the Command of Prince *Maurice*, caused him to be Hang'd. The Parliament took this Man's death very ill, alledging that his Case was quite different from *Howard*'s, the latter being a *Run away*, the former a *fair Prisoner* of War, and therefore having Serjeant *Glanvil* in their Custody, (being lately voluntarily come in from *Oxford*) they Ordered the said Judges on the 22d. of *July* to be Impeached of *High Treason*; and this business and the Hanging of fourteen of the Parliaments Party, said to be Clothiers, soon after at *Woodhouse* in *Wiltshire*, gave occasion for preparing and hastening the Ordinance for Erecting a *Court Martial*, (whereof in its proper place.)

Capt. *Howard* Hang'd by the Parliaments Party.

Capt. *Turpin*'s Hang'd by the King's.

About this time Sir *Robert Pye* and Collonel *Blake*, a stout Commander belonging to the Garrison of *Lyme*, took *Taunton-Dean*, and in the Castle there one Demi-Culverin, and ten other small Pieces, two Tun of Match, eight Barrels of Powder, and Store of Provisions.

Taunton taken by the Parliaments Party.

The taking of this Place happen'd soon after the Battel of *Marston-Moor*; and the Parliaments Convoy that went with the Souldiers of this Garrison to Conduct them to *Bridgwater*, had the following Letter written by Serjeant *Francis* to his Father, sent to them, to upbraid them with the Victory which it was supposed the King's Army had obtained in the North.

Serjeant *Francis* his LETTER to his Father.

Dear Father,

THese are to signifie unto you the certain Occurrences here, Prince Rupert *hath utterly Defeated the bonny* Scots *and Rebels that besieged* York, *taken General* Leshley *and that Arch Rebel Sir* Thomas Fairfax, *Prisoners, slain the Earl of* Manchester, *and taken forty eight pieces of Ordnance, and ten thousand Arms, and not left them so much as a blew Bonnet: Time will not give me leave to send you the particulars, but it is Certified by an Express, and under his Highness Prince* Rupert's *own hand, and therefore you may Credit it, and make it known.*

A Letter falsly representing the Success at *Marston-moor.*

Bristol,
July the 9th. 1644.

Your Obedient Son,
William Francis.

An. 1644.

This being made known to the Lord General *Eſſex*, who knew the contrary, having received a Copy of the Letter under the Hands of the three Generals, of the Defeat Prince *Rupert* had received, he ſent a Copy of the Letter of the three Generals by a Trumpeter, to Sir *John Barkley* the Governour of *Exeter*, with this Meſſage, That if the Relation proved true that Sir *John* had received of the Princes *Victory* over the *Engliſh* and *Scottiſh* Forces, he [illegible] Content and Engage his Honour on it to deliver up the Towns of *Weymouth* and *Melcomb Regis* to him, provided the ſaid Sir *John* would Engage to Surrender *Exeter*, if this Relation now ſent him of the Prince's Defeat proved true: To which Sir *John* return'd this modeſt Anſwer:

A LETTER to the Earl of *Eſſex*.

My Lord,

Sir *John Barkley*'s Letter to *Eſſex*.

IN the Poſture we are, it is very poſſible I may be deceived in our Intelligence, and conſidering the practice of ſome, not impoſſible but your Lordſhip may be: I am confident your Lordſhip hath no intention to abuſe the People; I am moſt ſure I have not. It muſt be acknowledged your News is very unpleaſant to Men of my Affection, and will not prove very proſperous to thoſe of your Lordſhips, if I am not miſtaken in them, or my Arguments of them. I ſtill incline to believe our own, but not to that degree of difference as there is between Exeter *and* Weymouth; *however I ſhall receive the Aſſurance of either with the moſt equal mind, and in the worſt Event ſhall never want the ſatisfaction of having diſcharged my Duty to my Countrey, with an Heart as untoucht of private ends and reſpects as any Mans living; and as much*

Your loving Humble Servant,

JOHN BARKLEY.

Skirmiſh at *Dorcheſter*, *July* 11th.

On the 11*th.* of *July* Coll. *O Brian* ſent out a Party of two hundred and forty Horſe and Foot from *Wareham* to *Dorcheſter*, who faced the Town ſeveral hours, but the Inhabitants ſtood upon their Guard, and ſent to the Parliaments Garriſons at *Adderbury* and *Weymouth* for Relief, whereupon Collonel *Sydenham*, Major *Sydenham*, and other Forces, haſtened thither, put them to flight, and purſued them almoſt to *Wareham*, ſlew twelve, and took ſixty Horſes, and one hundred and ſixty Priſoners; whereof eight being natural *Iriſh*, ſeven of them were immediately Hang'd, and the other ſpared for doing Execution on his Fellows. It was ſaid to be in revenge of theſe that the fourteen Perſons before mentioned were Hang'd at *Wood-Houſe*.

Seven *Iriſh*-men hang'd.

The King's Marches towards the Weſt after the fight at *Cropedy-Bridge*.

Whilſt *Eſſex* was thus advancing in the Weſt, his Majeſty was not wanting to his own Affairs: 'Twas thought when he gave *Waller* that Bruſh at *Cropedy-Bridge*, *June* the 29*th.* that his Majeſty deſigned to have marched Northwards, and to have joyn'd with Prince *Rupert*; but ſoon after hearing of his Highneſs's diſaſter at *Marſton-Moor*, (which happen'd but three dayes after the Action at

20 *Caroli.*

at *Cropedy-Bridge*) he thought fit to take other Measures, and rather march into the *West*, and accordingly advanced to the Borders of *Worcester-shire*: Nor did *Waller* follow him, but marcht away to *Buckingham*, and the City Brigade that was with him returned home, and the reſt of his Forces lay Quartered at *Buckingham*, *Abbington*, and other places. His Majeſty five dayes after the Buſineſs at *Cropedy-Bridge*, and two after that at *Marſton-Moor*, was at *Eveſham*, from whence the Marqueſs of *Hertford* ſent a Copy of the following Meſſage to the Earl of *Eſſex*, who Communicated the ſaid Copy to the Parliament, and it was intimated that the *French* Agent had the *Original* to deliver.

Waller's Forces lye ſtill at *Abbington*.

To the Lords and Commons of Parliament Aſſembled at *Weſtminſter*.

C. R.

The King's Meſſage for Peace from *Eveſham*, *July* 4th. 1644.

WE *being deeply ſenſible of the Miſeries and Calamities of this Our Kingdom, and of the grievous Sufferings of our poor Subjects, do moſt earneſtly deſire that ſome Expedient may be found out, which by the Bleſſing of God may prevent the further effuſion of Blood, and reſtore the Nation to Peace: From the earneſt and conſtant endeavouring of which, as no diſcouragement given Us on the contrary part ſhall make Us ceaſe, ſo no ſucceſs on Ours ſhall ever divert Us: For the effecting whereof, We are moſt ready and willing to Condeſcend to all that ſhall be for the good of Us and our People, whether by way of Confirmation of what we have already granted, or of ſuch further Conceſſion as ſhall be requiſite to the giving a full Aſſurance of the performance of all our moſt real profeſſions concerning the maintenance of the true Reformed Religion eſtabliſht in this Kingdom, with due regard to the eaſe of tender Conſciences, the juſt Priviledges of Parliament, and the Liberty and Property of the Subject, according to the Laws of the Land; as alſo the granting of a General Pardon without or with Exceptions, as ſhall be thought fit. In Order to which bleſſed Peace, We do deſire and propound to the Lords and Commons of Parliament, Aſſembled at* Weſtminſter, *that they appoint ſuch and ſo many Perſons as they ſhall think fit, ſufficiently Authorized by them, to attend Us at our Army, upon ſafe Conduct to come and return, (which We do hereby grant) and conclude with us how the Premiſes, and all other things in queſtion between Us and them, may be fully ſettled; whereby all unhappy miſtaking betwixt Us and our People being removed, there may be a preſent Ceſſation of Arms, and as ſoon as may be a total Disbanding of all Our Armies, the Subject have his Due, and We be reſtored to all our Rights. Wherein if this our Offer ſhall be accepted, there ſhall be nothing wanting on Our part which may make Our People ſecure and happy.*

Given at Our Court at Eveſham, *the Fourth Day of* July, 1644.

The

An. 1644.

Why the two Houſes return no Anſwer.

The two Houſes not conceiving themſelves to be owned by the Direction of this Meſſage *as the Two Houſes of Parliament*; and for that it was but a Copy, return'd no Anſwer thereunto, but then and for a long time before had under their Conſideration the framing of certain Propoſitions for Peace, wherein the Kingdom of *Scotland* was alſo to joyn with them.

The King fell down with his main Body and Quartered for a while about *Breedon*, three Miles from *Tewxbury*, and being inform'd of the Weakneſs of that place, drew near with an intention to ſtorm it, and advanced his Ordnance within a Mile thereof; but *Maſſey*, Governour of *Gloceſter*, upon the firſt Intelligence clapt into the Town two hundred Muſqueteers for an additional ſtrength, and to encourage thoſe within, himſelf in the mean while with one hundred Muſqueteers in *Coſtawne* waited to encounter with a Party of the King's *VVorceſter* Forces, whom he ſtaved off with the loſs of five or ſix Men near *Upton Bridge*, and paſſed over *Severn* to *Tewxbury*; upon Notice whereof his Majeſty drew off his Forces, and made ſhew as if he would paſs over the River into *Herefordſhire* and *VVales*, giving Command that all the Bridges ſhould be made up: But his Deſign lay Weſtward, and therefore on a ſudden made up the Hills, marched in the View of *Shudeley-Caſtle* over the *Downs* to *Cubberley*, ſeven Miles from *Glouceſter*, and by *Beverſtone-Caſtle* to *Sudbury*, and ſo over the Hill Countrey to *Bath*, *Maſſey* ſending out three Troops of Horſe to attend their Rear, who drove in Stragglers, and took between fifty and ſixty Priſoners. His Majeſty having Summon'd in the Inhabitants in *Somerſetſhire* to appear at a Place called *Kings-more*, *July* 23*d.* made the following Speech.

His Majeſty goes to *Bath*.

The KING's Speech.

Gentlemen,

The King's Speech to the Inhabitants of *Somerſetſhire*, at *Kings-more*, 13 *July*, 1644.

"I Have often deſired before theſe Troubles, to Viſit theſe Weſtern Parts, that I might with Joy have been an Eye-witneſs of the Bleſſings of Peace which you then enjoyed, and have "been Welcomed with the hearty and unanimous Affections of my "good People here: But malicious Deſigns of the Authors of this "moſt unnatural War have made thoſe my Intentions impoſſible; "yet my coming to you in this Poſture may ſufficiently expreſs "what Value I ſet upon theſe Aſſociated Counties. I am now come "to relieve you from the Violence of a Rebellious Army ſent hither "by thoſe who have plunged this whole Kingdom into theſe deſperate Diſtractions. They have got footing in your Countrey, and "under the falſe pretences they carry with them, (wherewith they "have abuſed too many of my People) are ready to devour you, "and bring deſtruction to your Religion, Property and Liberty: "Theſe I am come to defend, and ſhall refuſe no danger that may "conduce to your Deliverance from this Slavery attempted on you "by thoſe Men.

"All I ask of you, is, that you will not be wanting to your ſelves, "but will heartily joyn with me in this good Work, by contributing

20 *Caroli.*

"ing your chearfull Aſſiſtance to my Army, and by performing "your Duty in bearing Arms with Me in this good Cauſe, where- "in whoever ſhall fall, carryeth this Comfort with him, that he fall- "eth in defence of the true Proteſtant Religion, his King, his Coun- "trey, and the Law of the Land: And he that dare not venture his "Life for theſe, I had rather have his room than his Company. "Upon theſe grounds I ſhall lead you on: Follow Me with Cou- "rage, and the God of Power give Us his Bleſſing. I ſhall further "remember you of this, that if by your Aſſiſtance it ſhall pleaſe God "to reduce this Army now in the Bowels of your Countrey, you "will not only thereby free theſe Aſſociated Counties from thoſe "miſeries which threaten you; but it may pleaſe God in mercy ſo "to look upon this poor Kingdom, that the fruits of this Victory "may be a means to reſtore Peace to Us all, that bleſſed Peace "which I have ſo often and ſo importunately ſought for from *them* "at *Weſtminſter*, and which they have ſo ſcornfully rejected, as if "the Blood of their Fellow-ſubjects were their Delight: God turn "their Hearts! neither ſhall I deſpair of it, if the ſucceſs of that "Army, the chiefeſt ſtrength on which they relye, ſhall fail their Ex- "pectation; for then it may have ſuch an influence upon them, "that I hope they may be prevailed with to give you leave to be "be happy again, and (which I have ſo often deſired) to have all "that is in queſtion between them and me determined in a full and "free Convention of Parliament; then I ſhall not fear but the united "Power of this Kingdom will eaſily free us from that Northern In- "vaſion, which making uſe of our Diviſions, threateneth no leſs "than the Conqueſt of this whole Nation. This I aſſure you, that "no ſucceſs ſhall make me leſs zealouſly ſeek for Peace, well know- "ing whoſe Blood is to be ſpilt in this unhappy Quarrel, but ra- "ther I ſhall more fervently encreaſe my deſires, by how much I "may have better grounded Hopes to attain what I ſo earneſtly "deſire.

"When I mention Peace, I would be underſtood to intend that "Peace which is built upon ſuch Foundations as are moſt likely to "render it firm and ſtable, wherein God's true Religion may be "beſt ſecured from the danger of Popery, Sectaries and Innovations, "the Crown may poſſeſs thoſe juſt Prerogatives which may en- "able me to protect and govern my People according to Law, and "the Subjects be Confirm'd in thoſe Rights which they have de- "rived from their Forefathers, and which I have granted to them in "Parliament, to which I ſhall always be ready to add ſuch New "Graces as I ſhall find moſt to conduce to their Happineſs: This is "the Peace which I labour for, wherein I may juſtly expect your beſt "aſſiſtance with your Hearts, and Hands, and Purſes.

"Neither ſhall I be more burthenſome to you with my Army than "of neceſſity I muſt for its ſupport, (ſo far I muſt deſire your help, "being violently robb'd of all my Revenues.) I have and ſhall uſe "all poſſible means to ſuppreſs the diſorders of the Souldiers: The "beſt way to do it, is by taking Order that they be not provok'd "with want of neceſſary Proviſions; that being done by you, Mr. "Sheriff and the Commiſſioners of this County, which I moſt ear- "neſtly commend to your Care, you ſhall find me very ſtrict in ſuch "Diſcipline as may ſecure you.

"This Night I hope to have joyned to me other conſiderable "Forces, which are upon their march towards me; and to mor- "row

An. 1644. "row morning We ſhall humbly ask God's Bleſſing upon Us, and begin "the Work.

"This Care I ſhall further take for you, that as ſoon as poſſibly "I can, other Men to be leavyed by the Impreſs ſhall ſupply the "place of ſuch of you as I ſhall then give Liberty to return to your "Harveſt. I ſhall conclude with this Promiſe to you, that I ſhall "look upon your chearfulneſs in this Service as the greateſt Expreſſi-"on of your Loyalty and Affections that you can make, or I re-"ceive, which I ſhall requite if it be in my Power; if I live not to "do it, I hope this young Man *, my Son, your Fellow-Souldier "in this Expedition, will, to whom I ſhall particularly give it in "Charge."

* Pointing to the Prince who was by.

The King having joyn'd the Lord *Hopton*'s Forces, advanced to *Ilcheſter* and *Evil* in *Somerſetſhire*, and with them and what ſtrength came in from the Countrey, had formed a very conſiderable Army.

Eſſex goes from *Tiverton*, *July* the 18th.

The Earl of *Eſſex* on the 18*th.* of *July* marcht with his whole Army from *Tiverton*, and pretended to Countermarch to the *Eaſt* to meet the King, which Prince *Maurice* having Intelligence of, at the ſame time marcht with his Army, conſiſting of four thouſand Horſe and Foot, or upwards, from *Oakingham* Eaſt towards *Exon*, and that Night a Party of the Lord *Pawlet*'s Regiment of Horſe took up Quarters at a Village call'd *Cherrington*, imagining *Eſſex* had been gone Eaſt, but a Party of his Horſe fell in upon them in the Night, kill'd one Captain and ſome common Troopers, took ſixty of their Horſes, ſeveral Arms, and all their Baggage.

Skirmiſh at *Cherrington*.

A Debate whether *Eſſex* ſhould march into *Cornwall*.

Upon Notice of the King's approach further Weſtwards, and having joyned my Lord *Hopton*, *Eſſex* called a Council of War, wherein it was Debated: 1. Whether he ſhould make back to meet his Majeſties Forces. 2. Whether he ſhould ſit down before *Exeter*: Or, 3. Whether he ſhould March on to relieve *Plimouth*, and ſo march into *Cornwall*. Which laſt was concluded upon, for ſuch Reaſons as theſe: 1. Becauſe if thoſe Forces under *Greenvile* were routed, his Majeſty could not be able to make any Recruits in thoſe Parts. 2. Becauſe it was ſuggeſted, that upon his March into *Cornwall* great Numbers of that County would come in to his Aſſiſtance, which was rendred probable, in that it was my Lord *Roberts*'s Countrey, who was Field-Marſhal to *Eſſex* in this Expedition. 3. Becauſe it was expected that *Waller* or ſome other of the Parliaments Forces would ſpeedily march into the Weſt at the Rear of the King, and ſo cut off all Supplies of Men or Proviſion from going to his Army.

Eſſex goes to *Plimmouth*.

Accordingly *Eſſex* advanced to *Plymouth*, and Sir *R. Greenvile* not only drew off his Forces from thence, but quitted his ſmall Garriſons of *Mount Stamford*, *Plympton* and *Salt-Aſh*, and on the 23*d.* of *June*, *Eſſex* ſent a Party to attacque the ſaid Sir *Richard*'s Houſe, called *Greenvile-Houſe*, at *Taveſtock*, then made a Garriſon, where at their approach thoſe within hung out a White Flagg, and deſired a Parley, but the Souldiers eager for Pillage went on, and Storm'd it; and getting over the Wall enterd the Houſe, whereupon the Defendants cry'd for Quarter, which was granted to all but *Iriſh* Rebels. Here were taken two Pieces of Cannon, one hundred and fifty Priſoners, a great quantity of Muſquets and Piſtols, and

in

in Money, Plate, *&c.* to the Value of three thouſand Pounds. 20 *Caroli.*

June the 26*th*. *Eſſex* entered into *Cornwall*, Sir *Richard Greenvile* at *Newbridge*, the Paſſage into that Countey, maintaining an hot Diſpute for ſome time, but at laſt the Parliaments Forces, with the loſs of about forty or fifty Men gain'd the Paſs, and ſo paſs'd on to *Lanceſton* the Shire-Town, where they took divers Barrels of Powder.

Eſſex enters *Cornwall*, *June* the 26*th*. and the Diſpute at *Newbridge*.

The ſame day his Majeſty came to *Exeter*, and Prince *Maurice* being joyn'd, had a general Muſter of his Forces, and ſo advanced after *Eſſex* into *Cornwall*. On the 29*th*. *Eſſex* being at *Bodmin* ſent out a Party of my Lord *Roberts*'s Brigade, who had a Skirmiſh with Sir *Richard Greenvile*'s Army at *Horſebridge* near *Leſtithiel*, and took ſome Priſoners, likewiſe the Haven at *Foy*, and ſeveral Ships therein were taken by *Eſſex*, who diſpatcht away Letters to the two Houſes, ſignifying that the King was come into *Cornwall*, and drove away all Cattel, ſo that he believed the deſign was to ſtreighten him for Proviſions, and therefore earneſtly preſs'd that Forces might be diſpatcht into the Weſt, to lye upon the King's Rear; but it ſeems *VValler*'s Army was not in a Condition to march, for he was at *London*, ſolliciting Recruits and Supplies; yet he did diſpatch Lieutenant General *Middleton* that way with about two thouſand five hundred Horſe and Dragoons, who advanced as far as *Somerſetſhire*, and interrupted ſome Carriages paſſing towards the King's; but came too late to effect any thing for the Relief of *Eſſex*'s Army.

The King follows him.

Eſſex writes to the Parliament for Forces to fall in the King's Rear.

Middleton marches Weſtward, but too late.

The King Quartering at *Liskard*, and General *Eſſex* at *Leſtithiel*, on *Aug*. 6. his Majeſty ſent the following Letter, written with his own Hand to him, by the Lord *Beauchamp*, Son to the Marqueſs of *Hertford*.

His Majeſties LETTER to the Earl of *Eſſex*.

Eſſex,

I Have been very willing to believe that whenever there ſhould be ſuch a Conjuncture as to put it in your power to effect that happy Settlement of this miſerable Kingdom, which all good Men deſire, you would lay hold of it: That ſeaſon is now before you, you have it at this time in your power to redeem your Countrey and the Crown, and to Oblige your King in the higheſt degree (an Action certainly of the greateſt Piety, Prudence and Honour) ſuch an opportunity as perhaps no Subject before you hath ever had, or after you ſhall have; to which there is no more required but that you joyn with me heartily and really in the ſettling of thoſe things which we have both profeſſed conſtantly to be our only Aims: Let us do this, and if any ſhall be ſo fooliſhly unnatural as to oppoſe their King's, their Countrie's, and their own good, We will make them happy (by God's Bleſſing) even againſt their Wills: The only Impediment can be want of mutual Confidence; I promiſe it you on my part, as I have endeavoured by my Letter to Hertford *from* Eveſholm: *I hope this will perfect it, when (as here I do) I ſhall have Engaged unto you the word of a King, that you joyning with me in that bleſſed VVork, I ſhall give both to you and your Army ſuch eminent Marks of my Confidence and Value, as ſhall not*

The King's Letter to *Eſſex*, *Aug*. the 6*th*.

An. 1644. *leave a room for the leaſt diſtruſt amongſt you, either in relation to the Publick or your ſelf, unto whom I ſhall then be*

Liskard, *Aug.* 6. 1644.

Your Faithful Friend,

C. R.

If you like of this, hearken to this Bearer, whom I have fully inſtructed in particulars; but this will admit of no delay.

To this Letter the Earl of *Eſſex* returned no preſent Anſwer. On the 8*th.* of *Auguſt* Prince *Maurice* and the Earl of *Brainford* (General of his Majeſties Forces) ſent a Letter to him, adviſing him to take his Majeſties Letter into Conſideration, and that if he would Treat, they would meet him, and there ſhould be a ſafe Conduct on both ſides, and that he ſhould be as ſafe as in his own Camp: And the day following another Letter was ſent him, ſubſcribed by the Lord *Hopton*, and the Commanders in his Majeſties Army, in theſe words following.

A LETTER from the Commanders of his Majeſties Army to the Earl of *Eſſex*.

Letter from the Commanders of his Majeſties Armies to *Eſſex*, *Aug.* the 9*th.*

My Lord,

WE having obtained his Majeſties leave to ſend this to you, ſhall not repeat how the many gracious Meſſages, Endeavours and Declarations which his Majeſty hath made, have been ſo ſolemnly proteſted in the Preſence of God and Men, that we wonder how the moſt ſcrupulous can make any doubt of the real performance of them: But we muſt before this approaching occaſion, tell your Lordſhip, that we bear Arms for this End only, to defend his Majeſties known Rights, the Proteſtant Religion and Laws of this Kingdom; and this being the profeſſed Cauſe of your Lordſhips bearing Arms, we are confident that concurring in the ſame Opinions and Pretences, we ſhall not by any unnatural War weaken the main ſtrength of this Kingdom, and advance the Deſign of our common Enemies, who long ſince have devoured Us in their hopes.

My Lord,

The Exigency of the time will not ſuffer Us to make any labour'd Declarations of our Intentions, but only this, that on the Faith of Subjects, the Honour and Reputation of Gentlemen and Souldiers, we will with our Lives maintain that which his Majeſty ſhall publickly Promiſe in Order to a Bloodleſs Peace: Nor ſhall it be in the power of any private Perſon to divert this Reſolution of Ours, and the ſame we expect from you. And now we muſt take leave to proteſt, that if this our Offer be neglected (which we make neither in fear of your Power, nor diſtruſt of our own, but only touched with the approaching Miſeries of our Nation) that what Calamities ſoever ſhall oppreſs Poſterity, will lye heavy on the Souls and Conſciences of thoſe that ſhall decline this Overture, which we cannot hope ſo ſeaſonably to make again, if this Conjuncture be let go. And therefore it

is

20 Caroli.

is deſired, That your Lordſhip and ſix other Perſons may meet our General to morrow (at ſuch an indifferent Place as you ſhall think fit) attended with as many, that may conſider of all means poſſible to Reconcile theſe unhappy Differences and miſunderſtandings that have ſo long afflicted the Kingdom. And for your Lordſhip and thoſe that ſhall come with or be employed by your Lordſhip, we do engage our Faith and Honour, and do expect the ſame from your Lordſhip, deſiring withall your very ſpeedy Anſwer, which muſt be a Guide to our Proceedings, concluding that if this ſhall be refuſed, we ſhall hold our ſelves juſtified before God and Men, whatſoever ſhall be the ſucceſs.

Upon the receipt of this Letter *Eſſex* return'd an Anſwer to the Earl of *Brainford* to this effect —— "That whereas he had received "a Letter from his Majeſty, another from his Lordſhip, and a third "from ſome other Commanders, by all which a Treaty was deſi- "red, he thinks fit to acquaint his Lordſhip, that it was not in his "Commiſſion to be concern'd in any ſuch Treaty, nor could he Be- "tray the Truſt repoſed in him by the Parliament.

Eſſex's Anſwer.

The General ſent up theſe Letters to the Parliament, and they were read at a Conference in the *Painted-Chamber*, *Auguſt* the 14*th*. and it was Ordered that the Thanks of both Houſes be returned him for his Fidelity in this Affair.

Thanks from the two Houſes to their General, *Aug.* the 14*th*.

About this time the Lord *Wilmot*, the King's Lieutenant General of Horſe, fell into his Majeſties diſpleaſure, and was ſent Priſoner to *Exeter*; whereupon his Lordſhip being well beloved in the Army, there was the following Petition preſented to the King concerning him.

The King Impriſons the Lord *Wilmot*.

To the KING's moſt Excellent Majeſty.

The Humble PETITION of your Majeſties old Officers of Horſe.

Humbly Sheweth,

The Commanders Petition on his behalf, *Aug.* the 18*th*.

"THat whereas they have had the Honour to ſerve your Ma- "jeſty, under the Command of the Lord *Wilmot*, of whoſe "Juſt and Loyal Intentions they conceive they have had ſome De- "monſtrations; but now to their great Amazement, and almoſt Di- "ſtraction, find him fallen into your Majeſties Diſpleaſure and Suſpi- "tion: And although they intend not to arrogate unto themſelves "a Liberty of ſearching into your Majeſties Deſigns, nor diſputing "your Commands, yet they moſt humbly begg Pardon, if they be- "lieve it a Right they owe themſelves and your Majeſties Service, "to requeſt they may receive ſome preſent light of this Buſineſs from "your Majeſty, that they may not have reaſon to ſuſpect themſelves "partakers of his Crimes, having been by your Majeſties Order Exe- "cutors of his Commands: And we hope for ſuch a ſatisfaction from "your Majeſties Juſtice in this particular, as may encourage your "Petitioners to go on with the ſame Zeal to your Service as they

An. 1644.

"have hitherto expreſſed, in the hazard of their Lives and Fortunes, "and in their Prayers for your Proſperity, which ſhall ever be con- "tinued by

Your Majeſties
moſt humble Subjects and Servants.

His Majeſties ANSWER to the ſaid PETITION, Preſented Auguſt *the* 18th. 1644.

Charles R.

The King's Anſwer.

"WE have conſidered of your Petition, and receive it as a "thing well becoming you, to expreſs unto Us a ſenſe of "the Misfortune of a Perſon who hath ſo long Command- "ed you, as the Lord *Wilmot* hath done, in ſo eminent a Charge as "that of Lieutenant General of Horſe; ſince we aſſure you, the oc- "caſion we had to ſet ſo great a Mark of our Diſpleaſure upon one "ſo highly Truſted and Favoured by Us, in an affection to our ſelf "not inferiour to the greateſt which his beſt Friends can conceive "by the effect of it: And we ſhall expect that you will be kind to "Us, in your Belief either of our Juſtice or Prudent Care at leaſt of "our own Intereſts, as to be confident of that at this Seaſon, when "the Chearfulneſs and Unanimity in our Service, wherewith all of "you have hitherto ſo eminently Obliged your King, is ſo much more "neceſſary than it hath been at any time: We ſhould not have done "an Act that might hazzard the diſcontenting many, had We not "been forced unto it, by the aſſurance that it was abſolutely neceſſa- "ry to the Preſervation of Us all: And though in ſuch Caſes where- "in a Crown lyes at the Stake, upon the Deciſion of Battel, a ſmall "ſuſpition is ground enough for a Prince to remove any Perſon, but "doubted, from ſuch a Truſt, whereby he had Power ſo eaſie to de- "ſtroy all. Yet ſo deſirous are We to give full ſatisfaction unto you, "whoſe Merit of Us hath been ſuch, that We muſt ever profeſs no "King did ever owe more to Gentlemen and Officers, that We "thought fit hereunto to annex a Declaration of the Cauſes of the "Lord *Wilmot*'s removal from that Truſt; being only ſorry for this, "that We (urged by your deſires) Publiſh more perhaps than ever "We intended, of the Unfaithfulneſs and Ingratitude of a Perſon "whom We had not only truſted ſo long and ſo far, but alſo ſo "highly, and ſo many ſeveral wayes Obliged, that it was a great "improvement of Grief and Trouble to Us, that when it ſhall "pleaſe God by your means to reſtore Us to our Rights, We can "ſcarce ever hope for Power to do proportionably to the reſt of "you.

Given at our Court at Buconock, Auguſt *the two and Twentieth,* 1644.

The

20 *Caroli.*

The Lord Wilmot's *CHARGE.*

The Charge againſt the Lord *Wilmot.*

"THat the Lord Viſcount *VVilmot* hath endeavoured principally "theſe three Months laſt paſt to poſſeſs the Officers of his Ma- "jeſties Army with Diſvalue and Contempt of his Majeſties Perſon, "and with Prejudice againſt the ſincerity of his Intentions for the "good of his People, and endeavoured (as far as in him lay) to "draw Men to revolt from all their Allegiance, and particularly hath "uſed Diſcourſes and Perſwaſions to this effect, and to Perſons of "Charge, Power and Credit, in the Army: That the King he ſaw "would put all the Power into his Nephews Hands; that rather than "ſuffer it, they ſhould (for his part he would) make him ſubmit to "his Parliament, and to others to this effect: That the King was "afraid of Peace; that he was not a Man ever to go through this bu- "ſineſs; that there was no way but one, which was to ſet up the "Prince, who had no ſhare in the Cauſe of theſe Troubles, and that "he would Declare againſt thoſe about his Father, wherein all ho- "neſt Men would ſtick unto him, and put an end to all. That the "ſaid Lord Viſcount *VVilmot* hath without his Majeſties knowledge "ſent ſecret Meſſengers of dangerous Nature unto the Earl of *Eſſex*, "particularly it being reſolved by his Majeſty, that a private Meſſage "ſhould be ſent unto the Earl of *Eſſex* from a Perſon of Honour, to "whom the ſaid Earl profeſſed great Reſpect, inviting him to ſend "two Perſons of moſt Truſt with him, to meet and conferr with the "ſaid Perſons of Honour, and another of whom the ſaid Earl was be- "lieved to have a good Opinion; and the Inſtructions unto the Meſ- "ſengers (one who had free acceſs unto the Earl of *Eſſex*) being pun- "ctually drawn by a private Council, at the which the Lord *VVil- "mot* was preſent, with preciſe Directions, that the Meſſenger ſhould "know no more of the buſineſs, or deliver any things concerning the "Publick, but what was ſet down by unanimous Conſent at the "Council, and atteſted by the Secretaries of State; the Lord *VVilmot* "notwithſtanding deſired the ſaid Meſſengers to commend him kind- "ly to the Earl of *Eſſex*, and tell him from him, he had many good "Friends in the Army, that he ſhould lay hold of this opportunity, "and that then they would ſhew themſelves, and that the Court "ſhould not have power to hinder it, or carry it as they have done, "or words to this effect; by which ſecret Meſſage from him, being "Lieutenant General of his Majeſties Horſe unto the General of the "Rebels Army, he did not only forfeit his Duty and Allegiance, but "hath hereby given the Earl of *Eſſex* ſuch Aſſurances, though moſt "falſe, of a Party in his Majeſties Army, and of ſuch Diviſion between "that and the Court, as have been probably the Cauſe of that inſolent "return, which the ſaid Earl hath made unto his Majeſties moſt gra- "cious Letter which he vouchſafed to write him with his own hand, "to invite him to Peace, and ſo fruſtrated the great hope which his "Majeſty had raiſed to himſelf by ſuch a Letter, of ſaving the fur- "ther Effuſion of Blood, and procuring the happieſt Accommodation; "whereof had there been the leaſt hope left, his Majeſty has Decla- "red that he would have connived at theſe, yea, if poſſible, at great- "er Crimes.

An

An. 1644.

An ANSWER *to a Declaration and Charge againſt the Lord* Wilmot.

The Lord *Wilmot*'s Anſwer touching this Charge.

" I Doubt not but my Actions, and the loſs of what I had in his " Majeſties Service, might ſatisfie the World of my Integrity and " reſpect to his Majeſties Perſon and Dignity, if I ſhould only inſiſt " upon that; but ſince my Accuſers intend to prove the contrary, " by the Averment of Perſons of Charge, Power and Credit in the " Army, I am confident it is a Right I owe my own Innocency and " Civility to Men of their Quality, wholly and abſolutely to referr " my ſelf to the Juſtice and Integrity of their Teſtimonies, without " endeavouring to aſſure the World from my ſelf of my own Innocen- " cy: Though I doubt whenſoever it ſhall pleaſe the King to call me " to my publick Tryal, which I am promiſed will be ſpeedily, I ſhall " be able to make that appearance with much clearneſs to the whole " World, as I now find in the private ſatisfaction of my own Con- " ſcience: But ſince ſome Perſons have thought fit to intereſt them- " ſelves in my Juſtification, I conceive my ſelf obliged to ſatisfie their " deſires in this general Account, for the preſent: I muſt in the firſt " place rejoyce with them, that the Malice it ſelf of my Accuſers can " ſuggeſt nothing of practice to me, the heighth of my pretended Of- " fences, were they confeſs'd by me, or proved by them, reach no " further than words, though of ſuch Nature as are as diſagreeable " to my Loyalty and Duty as they were always diſtant either from " my Intentions or Expreſſions. 'Till my Adverſaries find out a way " to make good as barely to excuſe, I muſt require from the Juſtice " of all Perſons, ſince my Actions have in all Points fully contradict- " ed theſe pretended Accuſations, a ſuſpenſion of Judgment, and de- " ſire they would not put the forged ſuggeſtions of my Enemies in e- " qual ballance to the Endeavours of my whole Life, which after ha- " zard of it (if his Majeſty had thought fit) he might have found " would be ſtill continued, in as full and faithfull a Degree in his Ma- " jeſties Service as ever; the truth is, my affection hath alwayes in- " clined to Peace, but I take God to witneſs, ſuch a one as might " have agreed with the Honour of the King and the Happineſs of the " Countrey; and though my Intentions are not to recriminate, yet in " Order to my Juſtification and Acquitment, I muſt take leave to ſay, " I do more than fear it agrees not with the Intereſt and Inclina- " nations of ſome Perſons ſo fully as I could wiſh, which I take to be " the principal Cauſe of my preſent Condition, but I have only un- " dertaken to clear my ſelf. May each Man's particular Faults light " on his own Head; whoſoever ſhall abſtract the Subſtance from the " Copiouſneſs and ſubtil Aggravations of Language, I am confident " will find whatever dreſs they may be able to put upon the ground- " work of their Accuſations, to be barely nothing but a too violent ex- " preſſing my Inclinations to Peace, whether I have ever fought it, " further than my Allegiance and Duty to his Majeſty allowed of, or " my Obligation to my Countrey might exact from me, I muſt re- " ſerve to my publick Anſwer; in the mean time I deſire and doubt " not but that all good Men will be ſatisfied with this Profeſſion and " Proteſtation, That I never had a private Treaty, nor did ever ſpeak

" any

20 *Caroli.*

"any thing to the prejudice of the Publick Cauſe; yet if there could "be a means found out to reconcile the juſt Intereſt of the King and "Kingdom, ſuch as becomes an honeſt and well affected Man to ap- "pear in, I am ſure I ſhould be very forward to engage all my Aſ- "ſiſtance, and ſhall think it an Action may very well be juſtified to "God, my King, and all honeſt men; in which Reſolution I intend "to live and dye.

A day of Prayer for *Eſſex*'s Army, kept at *London*, *Aug.* the 13*th.*

At *London* by Order of the two Houſes, *Tueſday*, *Auguſt* the 13*th.* was kept as a Day of Humiliatiation and Prayer, to Crave a Bleſſing from Heaven on the Kingdom, and particularly for the Succeſs of the Army under their Lord General *Eſſex* in *Cornwall.*

Wareham Surrendered to the Parliament *Aug.* the 10*th.*

Colonel *Sydenham* and Sir *Anthony Aſhley Cooper*, and others, Commanders of the Parliaments Forces, having drawn out about twelve hundred Horſe and Foot out of the Garriſons of *Lyme*, *Pool* and *Weymouth*, came before the Town of *Wareham*, and began to Storm the Outworks, whereupon a Parley was deſired, and the Town agreed to be Surrendered on the Conditions following.

That the Officers and Souldiers ſhall March away with their Colours flying, Drums beating, and Bullet in Mouth, and freely enjoy their Arms, Horſes, Bagg and Baggage.

That immediately after the Surrender of the Town, the ſaid Officers and Souldiers ſhall be maintained at the Charge of the King and Parliament: And that there ſhall be a timely Proviſion made for conveying them over into Ireland, *and that they receive one Months Pay.*

That the Inhabitants of the Town, and ſuch as have repaired thither, ſhall be at Liberty to enjoy and diſpoſe of their Eſtates according to the Law of the Land, paying Contributions proportionable to their Eſtates, as other places do that are under the Obedience of the Parliament.

That there be no Plundering: That all the Inhabitants who deſire to depart ſhall have Liberty ſo to do, and time to carry away their Goods; and all Priſoners on either ſide to be Releaſed.

And that ſuch of the Garriſon as were not willing to go with the Governour into Ireland *to fight againſt the Rebels, ſhall have a ſafe Conduct to* Briſtol, *or any part of the Kings Army ſans Arms.*

The Occaſion of this ſo eaſie a Surrender was for that Lieutenant Collonel *O Brian* the Governour, underſtood that his Brother my Lord *Inchequin*, diſſatisfied at the Ceſſation with the *Iriſh* Rebels, had declared againſt it, and ſided with the Parliament; and therefore the ſaid Lieutenant Collonel was the more ready to give up the Town, and go back with his Forces into *Ireland*, to the aſſiſtance of his Brother.

Skirmiſh between *Middleton* and Sir *Fr. Doddington.*

Lieutenant General *Middleton* was now got about *Bridgwater* in *Sommerſetſhire*, and Sir *Francis Doddington* and Sir *William Courtney* of General *Goring*'s Brigade being Convoying certain Carriages towards his Majeſties Army, he endeavoured to intercept them, but they having Notice of his deſign, ſent a good Number of Muſqueteers before to

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An. 1644. line certain Hedges, where they knew *Middleton* was to paſs, and afterwards ſent two Carriages ſlenderly guarded, which he ſeized on, but in his Retreat falling into their Ambuſcade, and they at the ſame time attacquing him with all the reſt of their Forces, a ſmart Encounter enſued, and ſeveral were kill'd and taken Priſoners on either ſide; but the King's Party recovered their Carriages, and made good their Paſſage towards the King, and took Major *Carr* Priſoner, but on their ſide Serjeant Major *Killigrew*, a gallant young Gentleman was ſlain.

Some days after the ſaid Major General *Middleton* encounter'd with a Party of the King's Forces at *Farrington* in the ſame County, and took ſome Officers, a hundred Horſe and three Barrels of Powder.

The Earl of *Eſſex* ſent a Letter to the Pariament, acquainting them with a Plot lately diſcovered, to blow up his Magazine, for which purpoſe into two Waggons filled with Barrels of Powder there were two Engines privately convey'd, and put amongſt the Barrels, and were ſo near doing Execution, that the lighted Match that was faſtened to the end of one of the Engines was burnt within an Inch of the Wild-fire, when it was diſcovered, and the other Match was burnt to the very Neck of the Engine where it was to give fire; but it happen'd not to take, and ſo the Coal was gone out of it ſelf; one of which Engines he ſent up, (and it was ſhewed in the Houſe of Commons.) He alſo inform'd them that ſeveral Skirmiſhes had lately paſs'd, wherein generally his Forces had the better; but earneſtly preſſes for Proviſions and ſome freſh Forces to advance to him, concluding his Letter with theſe words —— "If ſuc- "cour come not ſpeedily, we ſhall be put to great Extremity: If "we were in a Countrey where we could force the Enemy to fight, "it would be ſome Comfort; but this Country conſiſts ſo much "upon Paſſes, that he who can ſubſiſt longeſt muſt have the bet- "ter of it, which is a great grief to me who have the Command of "ſo many gallant Men. *My Lords*, I am ſorry I have no Diſcourſe "more pleaſing, reſting

Your Faithful Servant,

ESSEX.

Eſſex forc'd to quit his Army, and go by Sea in a ſmall Boat to *Plymouth*, *Sept.* the 1*ſt.*

But the News that ſucceeded was much leſs pleaſing to them, for five dayes after, *viz. September* the 1*ſt.* he was neceſſitated to quit his Army, and ſhift for himſelf in a ſmall Veſſel to *Plimmouth*, and his Horſe having forc'd their Paſſage through the King's Quarters, his Foot were forced to ſubmit to Articles, whereby they Surrendred all the Train of Artillery, Ammunition and Baggage, together with their Arms, *&c.*

Touching which great Succeſs on his Majeſties ſide, and ſtrange Diſaſter to the Parliaments, and the occaſions thereof, I ſhall for the Readers impartial ſatisfaction, firſt give the Relation thereof as it was printed at *Oxford* in the *Mercurius Aulicus*, of *Septemb.* 7. 1644. and then add an Account given of this Affair under the Earl of *Eſſex*'s own Hand, with ſome other Authentick Papers relating thereunto.

20 *Caroli.*

An Account of the Defeating of Essex's *Army in* Cornwall, *as it was Published by the Royalists.*

Mercurius Aulicus his Account of *Essex's* Defeat in *Cornwall.*

AS soon as his Majesties Army drew from *Liskard*, he faced the Rebels in their Quarters at *Lestithiell*, who had strongly fastned their Foot Quarter on the one side of the Town, and placed most of their Horse and some Foot, on the Hills beyond: The Town is scituate in a Valley, and the Tide flows up from *Foy* to the Bridge, so as it is not Fordable but at one Pass between that and the Sea. Upon sight of the Rebels his Majesties Army was full of Courage, and desired to be Engaged, but that was not thought fit to be done, and the way of distressing the Rebels for want of Provisions, was resolved on as the most secure; and so we drew into Quarters, the King to *Boconnock* (the Lord *Mohun*'s House) his Army between him and a Heath that parted his Majesties Quarters and the Rebels at *Lestithiell*, the distance between both being not above a mile: As soon as his Majesty had fastened his (which was quickly done, every Enclosure here being Cannon proof) most of the Chief Officers of both Armies subscribed a Letter to *Essex* by his Majesties Consent, notwithstanding his Majesties Gracious Letter to him immediately before, was not vouchsafed an Answer.

To the Letter sent by the Commanders he return'd a Negative, (as better appears by the Letters and Relation already in print) yet his denyal wrought no great Effects on his Majesties Army, for in this posture between the Expectation of Sir *Richard Greenvile*'s Assistance, who was coming on from the West, the Starving of the Rebels, and many Debates but no positive Results, his Majesty spent above eight dayes, putting little in Execution, but drew out often on the Heath, had some light Skirmishes with the Horse-Guards, and so drew into Quarters again. At last Sir *Richard Greenvile* came with his Force, then the Army began more seriously in the prosecution of the Design, Sir *Richard Greenvile* fastening his Quarters at *Lanhethorock*, (the Lord *Roberts*'s House) beyond the River, three Miles West of his Majesty, and possessed *Leprin Bridge* on the same River, a Mile above *Lestithiel*, and his Majesty on the other side placed Guards on all the Passes on the River, leading from his Quarters and *Lestithiel* to *Foy*, and possessing a House of the Lord *Mohun*'s, over against the Town, and a Fort that Commands the very mouth of that Haven, (being there but half Musquet-shot over.) This was the first Work which conduced to his Majesties Advantage (which proved fatal to their Army) they being thereby deprived of an Harbour to bring them in Provisions or Supplies, which they had plentifully before; and now they had only a small Creek at *Mimibilley* and Saint *Blases Bay*, but neither of those safe for Ships, yet they still possessed a large space of ground Westward, which made his Majesty after few dayes expectation conclude, that he could not starve them in so short a time as was imagined, and therefore about fourteen dayes since he drew nearer to their Quarters, and fastened his Army within Enclosures, on the Wings of theirs, within Musquet-shot each of other, between which lyes part of the Heath, there not half a mile over; at the farthest extent of the King's Quarters on that Heath his Majesty built a Fort, that

An. 1644. by Cannon very much annoyed theirs (though they returned daily twenty great ſhot for one of his Majeſties) the ſame day Sir *Richard Greenvile* on the other ſide of the River drew nearer to *Leſtithiel*, took *Leſſerman-Caſtle*, a ſtrong Fort, and a Paſs underneath it little more than half a mile from the Town, and hereby his Majeſty bettered the Communication of his Forces: When his Majeſty had ſecured theſe, and his Quarters, he lay ſtill again expecting the Event; but the ill Weather coming on, he reſolved on a New Deſign, which was to attempt on ſome of their Quarters by Surprize, and thereupon Prince *Maurice*'s Army was Ordered to have fallen on two dayes ſucceſſively on the next Quarters to them; but the firſt day it whs thought neither eaſie to get, nor advantageous being got, and the next by delay and the Rebels diſcovery of the Deſign, nothing was effected, to the trouble and diſlike of many, who thought the ſame more eaſie than perchance it was: Yet that failing, neceſſity forbad any longer idleneſs, and ſo again about eight dayes ſince his Majeſty refuſed the former Deſign of Starving them; to which purpoſe General *Goring* with moſt of the Horſe, and Sir *Thomas Baſſet* with fifteen hundred Foot of Prince *Maurice* his Army, were ſent Weſt, to ſtop all Proviſions coming in at *St. Blaſe*, and to reduce the Rebels to Streights by keeping their Horſe and Foot cloſe together: This wrought the expected effect, for on *Fryday* Night came Intelligence that they were drawing their Cannon and Baggage towards *Foy*, whereupon his Majeſty made ready, not knowing what they had done with their Horſe, who the next morning in great fear marched between his Majeſties two Quarters, being about two thouſand five hundred Horſe, Commanded by *Balfore*; but his Majeſties Horſe followed the Rebels, though they made ſo great haſt that they were timely at *Saltaſh*, near which Sir *Edward Waldgrave*'s Brigade lay, and was almoſt ſurprized, but the gallant old Man got his men together, flanked them, ſlew a hundred, took Major *Abercromy* and many Priſoners: Being well bruiſed here, they laboured to tranſport themſelves over the River for *Plymouth*, their Horſes being very weak and tired; but in the Afternoon that day General *Goring* and moſt of the Horſe had Order to purſue them, and timely Notice was given to all Forces in the Southern Parts to meet them in the Front, ſo that 'tis believed you will ſhortly hear of their Deſtruction. Their Foot Army drew out likewiſe on *Saturday*, and by eight in the morning marched towards *Foy*, his Majeſty preſently followed, and having got the Bridge and Town of *Leſtithiel*, advanced the Hill, where he found two rare Pieces of Cannon, and about a mile farther three or four more, with Powder and Ammunition, which in their haſt they left behind them: Thus marching after them, his Majeſty fell in their Rear two miles from *Leſtithiel*, and from Hedge to Hedge, enforced them to a haſty retreat; at length (having got ſome advantage of an Encloſure) they made a ſtand, and with their remaining Horſe regained ſome Fields where they were forced before; whereupon the King ſent preſently Captain *Bret* with the Queens Troop, who in the King's View forced the Rebels to retire, regained the ground loſt, got more, and returned gallantly and in good Order, with the loſs only of four men, and himſelf ſhot in the Arm: for this good Service his Majeſty preſently Knighted him, and he well deſerved it: His Majeſty only wanted Horſe to have utterly deſtroyed them, (for they were now unable to help themſelves) in this Condition his Majeſty purſued them all day, getting

20 *Caroli.*

ing ſtill ground; in the Evening one whole Regiment of their Foot (being Collonel *Weyre*'s) ſtaggered, ran from Field to Field with their Cannon and Colours, only at the appearance of eight of his Majeſties Horſe, and had not Night come on, all their Army had been undoubtedly deſtroyed. The Gentlemen of his Majeſties own Troop did moſt gallantly in that Service, being twice bravely led on by the Noble and Valiant Lord *Bernard Stuart*, to the great Terror of the Rebels. This no queſtion cauſed their General *Eſſex* early the next day to quit his glorious Command, and in a ſmall Boat to ſhift away by Water for *Plymouth*; the Lord *Roberts*, *Merick*, and others are gone with him: Thereupon yeſterday his own Lieutenant Collonel *Butler* (who was formerly taken Priſoner at the Lord *Mohun*'s Houſe, and now exchanged for Sir *John Digby*) came to deſire a Parley, which was accepted, and Hoſtages interchangably delivered; the Treaty followed in the Evening in the King's Quarters: The Treators for his Majeſty, Prince *Maurice*, the Lord General, and the Lord *Digby*: Theirs, Collonel *Berkley* (a Scot) Collonel *Whichcote* (a zealous City-Collonel) and Collonel *Butler*. After high Demands, the Concluſion brought forth the Articles (herein after recited) according to which Articles his Majeſty poſſeſſed himſelf of all the Rebels Train of Artillery, *viz.* Forty nine Pieces of fair Braſs Ordnance (taken then and the day before) amongſt which was the great Baſiliſco of *Dover*, two hundred Barrels of Gun-powder, Match, Ball, *&c.* proportionable; above ſeven hundred Carriages, and betwixt eight and nine hundred Arms for Horſe and Foot —— Thus *Aulicus*.

A RELATION of the Defeat given to the Parliaments Forces in *Cornwall*, Written with the Earl of *Eſſex*'s own Hand to Sir *Philip Stapleton*.

Noble Sir,

The Earl of *Eſſex*'s Letter to Sir *Philip Stapleton*, touching the Defeat in *Cornwall*, Dated *Sept.* the 3*d.*

HOw our poor *Army hath been neglected and over-preſs'd by ſo great Powers, is well known to you, and ſhall be to the World; for never ſo many gallant and faithful Men were ſo long expoſed without Succour: The Blood that I fear by this time is ſhed, will cry loud one day. But now to begin our ſad Story: Hearing of the King's Approach, we quited* Bodmin, *and went to that fatal place* Leſtithiel, *which was the ſecureſt place we had then; preſently the King drew all his Forces upon us, but for moſt part of the time the Fight was altogether Horſe, in which we beat them every day, though three for one, and the Enemy durſt never appear but with Muſqueteers, and yet ours would beat them: But upon* Wedneſday *was ſeven-night, the* 21th. *of* Auguſt, *the King approached near us, his head Quarters being* Boconock, *my Lord* Moor's *Houſe, and there made a Fort upon the* Beacon-Hill, *and his Army laid in* Cloſes *hard beſides him, and within Muſquet-ſhot I placed Lieutenant Collonel* Ingolsby, *with four hundred Muſqueteers, and fronted with my Regiment,*

An. 1644. *giment, and Collonel* Tirril's *Regiment, the Orange Regiment for a ſecond, the Lord* Roberts *and Collonel* Barkley's *on a Hill on the left hand on the ſame Line, and upon them Prince* Maurice *lay with his Army, Major General's Regiment between mine and them; in the Town Collonel* Ware's *men, the River run under the Town, and he was to guard a Paſſage at a Gentleman's Houſe, not two muſquet-ſhot from the Regiment, and an old Caſtle lay over it, which they quited at the firſt appearing of the Enemy: On a Hill, on the other ſide of the Town, towards* Bodnam, *lay Major General* Hethcock's *Regiment, and Lieutenant Collonel* Forterm's; *a mile beyond them, upon a Paſs to* Foy, *lay* Aldrey *and* Davis's *Regiments, and out of the Regiments moſt of our muſqueteers upon the Paſſes, which* Ware's *men loſt, and our Forlorn Hopes took moſt of our muſqueteers: Againſt the Regiments on* Bodmin's *ſide lay* Greenhill's *Army at the Lord* Roberts's *Houſe; from the* 21th. *until* Fryday *ſeven night after, moſt of the Foot on* Bartlet's *ſide, and the ſide next* Bodmin, *was in continual fight: I had but ſixty muſqueteers with my Colours, and never able to relieve them all that time; ſome three dayes before we roſe, the Enemy ſent moſt of their Horſe and four Regiments of Foot beſides Dragoons to* St. Blaſe, *to ſpoil us of our Horſe Quarters, and cut between Us and* Foy; *ſo that I was forced to ſend Collonel* Beere *with my Regiment, his, and the* Plymouth *Regiment, with five hundred muſqueteers to defend the Paſſage. If in all this time but five hundred muſqueteers had been ſent us, we ſhould have ventured to have beat up one of their Quarters; but if we had loſt a hundred men as we were, we muſt have quitted one of our Poſts, and then we had been ruined, ſo that our Horſe being no longer able to ſubſiſt, and our Foot tired out with continual Duty, we were forced to ſend all the Horſe away, but the* Plymouth *Regiment; the Horſe made a brave retreat to* Saltaſh, *and ſo hither; but now how to come off is the difficulty, the Foot were to march to ſecure* Foy, Mellibile *and* Porkerees, *but when we came to draw off, the wayes were ſo extream foul with exceſſive Rain, and the Harneſs for the Draught-Horſes ſo rotten, as that in the marching off we loſt three Demiculverins and a Braſs Piece, and yet the Major General fought in the Rear all day, he being loth to loſe thoſe Pieces; thirty Horſes were put to each of them, but could not move them; the Night was ſo foul, and the Souldiers ſo tired, that they were hardly to be kept to their Colours. But at laſt when the four Regiments came to a place to make a ſtand, namely mine, Lord* Roberts's, *Major General's, and* Bartlet's, *I took two Troops out of the* Plymouth *Horſe that were on* St. Blaſe's *ſide, and Collonel* Butler *took a hundred Muſqueteers, and Captain* Floyd, *all of my Regiment, and with the two Troops fell upon three or four of the Enemies Regiments and their Horſe, beat them back two or three Cloſes;* Butler *(that was releaſed but the day before,) fell into the midſt of them, and took a Red Colours; the* Plymouth *Horſe with* Reynolds *in the head of them, charged bravely, twenty of the King's Horſe-men quited their Horſes, and run through the Cloſes. Captain* Reynolds *is a gallant young Man, and was ſhot through a narrow-brim'd Hat with a muſquet-bullet; and one of the Troopers took another Foot-Colours, which put us in ſome Comfort, but coming to the ground-fighting all the way, the ground could not be choſen to the beſt advantage, and the poor Souldiers inſtead of being eaſed of their Duty, were in ſuch a place as that the Enemy might bring every man of ours to fight; and they far ſurpaſſing us in Number, it might eaſily be judged how they could hold out with continual Duty; the Train was placed upon a Hill in the midſt; on the right ſide of the River that comes from* Foy *was my Regiment;* Ware's *men (or rather*

Sheep)

20 *Caroli.*

Sheep) *and* Bartlet's *and the Lord* Roberts's, *the Enemy preſſed hard upon them*; *Collonel* Butler (*that was releaſed but the day before*) *came and told me, that* Roberts *and* Bartlet's *men had quited their Poſts, and gone two Fields back*; Ware's *Men flung down their Arms and run away*; *my Regiment ſeeing themſelves left, do what* Butler *could, marched up to the Train: If I had lain at my Quarters appointed, I had been taken: Now was the ſide of the Train* (*on* Gallant-ſide) *left to the Enemy to fall in with Horſe and Foot, and ſo of neceſſity* Foy *cut off from Us, and the two Poſts of* Mellebille *and* Polkerres, *from whence we ſhould have all our Store of Victuals and Ammunition. An hour before day came* Falſtaff *and* Phips *of the Train, from the Major General, to know what Courſe was to be taken, eſpecially to ſecure the Train: I adviſed them to bring the Train to* Millebell, *and the Army, and then to ſecure the two former Poſts; and if that could not be done, then to draw up the Army round about the Train, and make the beſt Conditions, or elſe to threaten to blow up the Train. Two hours after day Mr.* Dean *came* (*who is an honeſt judicious and ſtout Man*) *and told me that if they ſhould offer to move any of the Army from their Poſts, they would never ſtand; and that he thought they ſhould be all ſurrounded before Noon, which was evident to all. Upon theſe Conſiderations I thought it fit to look to my ſelf, it being a greater Terror to me to be a* Slave *to their Contempts, than a thouſand deaths; I took a Ship and came to* Plymouth; *that Night the Major General called a* Council of War, *and beat a Parley; the Articles I ſend up by Collonel* Pindar, *which are better Conditions than I could have imagined, the Men being ſaved: The poor Souldiers for all that they could not ſubſiſt, were mad to part with their Arms, and the Officers had much to do to keep them from breaking them. It is the* greateſt blow that ever befell our Party: *I deſire nothing more than to come to the Tryal; ſuch Loſſes as theſe muſt not be* ſmothered up. *I ſhall take the beſt care for the preſent for the ſecurity of this Town, I intend to lend them Money, and if the Parliament will provide Arms for their Relief, and Ships to Tranſport them to* Portſmouth, *and for a thouſand Men to be ready againſt our Men come thither, (for 'till then they can do no Hoſtile Act) I intend to ſtay at* Portſmouth *until I know the Parliaments pleaſure, whether I ſhall preſently come up to give an Account, or tarry there 'till the Foot come up: This is a buſineſs ſhall not ſleep, if it be in the power of*

Your humble faithfull Servant,

ESSEX.

Plymouth *this* 3d. *of* *September*, 1644.

An. 1644.

A LETTER from the Earl of *Eſſex* to Major General *Skippon.*

A Letter from the E. of *Eſſex*, the next day after he left the Army, to Major General *Skippon*, *Sept.* the 2*d.*

SIR,

I Had ſent to you before this, but that the Wind blew ſo ſtiff, no Boat can put to Sea; but I write this, that upon the firſt opportunity it may come to your hands. Sir, *Be aſſured no worldly thing ſhould have made me quit ſo gallant Men, but the impoſſibility of ſubſiſting, after I heard that thoſe Regiments I put moſt Truſt in, namely my own, the* Lord Roberts's, *and Collonel* Bartlet's, *had quited their Poſts on* Gallant-*ſide, and ſo that way was open for the Enemy to cut off all Proviſions from you, that ſhould come from* Millebelle-Bay *and* Poldere: *And that you were unable according to my deſire to draw up thither, for fear your Men ſhould quit their Colours if moved.* Sir, *If you live I ſhall take as great Care of you as of my Father if alive, if God otherwiſe diſpoſe of you, as long as I have a drop of Blood, I ſhall ſtrive to Revenge* yours *on the Cauſers of it. The Horſe are come ſafe: Nothing but fear of Slavery and to be Triumpht on, ſhould have made us have gone.*

SIR, I am

Plymouth, 2 *Sept.* 1644.

Yours till Death,

ESSEX.

Upon Notice from you that you ſubſiſt, and how long you can, no hazard ſhall be let ſlip.

After the Lord General was thus withdrawn, and with him the Lord *Roberts*, Field-Marſhal, and Sir *John Merrick*, Major General *Skippon* the Chief Commander that was left, called the Field-Officers to a Council of War, and ſpake to them to this effect following.

Major General *Skippon's* SPEECH to the Field-Officers at a Council of War.

Skippon's Opinion at a Council of War, *Sept.* the 1*ſt.*

Gentlemen,

"YOu ſee our General and ſome Chief Officers have thought fit "to leave us, and our Horſe are got away; we are left alone "upon our defence: That which I propound to you, is this, That "we having the ſame Courage as our Horſe had, and the ſame "God to aſſiſt us, may make the ſame Tryal of our Fortunes, and "endeavour to make our way through our Enemies as they have "done, and account it better to dye with Honour and Faithfulneſs, "than to live diſhonourable.

But

20 Caroli.

But few of the Council of War concurr'd with him in this Reſolution, alledging that the Horſe had many Advantages to break through, which the Foot had not, who now were alſo diſmay'd by the going away of their General; and ſeveral other Reaſons they urged, and adviſed by all means to a Treaty, which they had received intimations from the King's Army his Majeſty was willing to accept.

And accordingly a Treaty was propounded, and the following Articles agreed upon.

ARTICLES *of Agreement made the Firſt of* September, 1644. *between his Highneſs Prince* Maurice *and his Excellency the Earl of* Brainford *and* Forth, *General of his Majeſties Armies on the one part: And* Philip Skippon, *Serjeant Major General of the Army, and* Chriſtopher Whichcoat, *Serjeant Major General of the* London *Brigade, and the reſt of the Officers of the Army, under the Command of the Earl of* Eſſex, *now quartered on the Weſt-ſide of the River of* Foy, *on the the other part.*

Articles made with the Parliaments Foot in *Cornwall*, *Sept.* the 1*ſt*.

Firſt, IT is agreed that all the Officers and Souldiers, as well of Horſe as Foot, under the Command of the Earl of *Eſſex*, being at the time of the Concluſion of this Treaty on the Weſt-ſide of the River *Foy*, ſhall to morrow being the ſecond of *September*, by eleven of the Clock in the morning, deliver up near the old Caſtle in their own Quarters, all their Cannons and Train of Artillery, with all Carriages, Neceſſaries and Materials thereunto belonging; and likewiſe all the Arms offenſive and defenſive, both of Horſe and Foot, and all Powder, Bullet, Match, and Ammunition whatſoever, unto ſuch Officers as the General of his Majeſties Artillery ſhall appoint to receive the ſame: Except only the Swords and Piſtols of all Officers above the degree of Corporals, who are by this Agreement to wear and carry the ſame away.

Secondly, It is agreed that immediately after the Delivery up of the ſaid Artillery, Arms and Ammunition, *&c.* that all Officers and Souldiers, both of Horſe and Foot, of the ſaid Army, ſhall march out of their Quarters to *Leſtithiel*, with their Colours both of Horſe and Foot, Trumpets and Drums; and that all Officers of Foot above the degree of Serjeants, ſhall take with them ſuch Horſes and Servants as properly belong unto themſelves, as alſo all Reformed Officers, their Horſes and Arms, (not exceeding the Number of Fifty) and likewiſe to take with them all the Bagg and Baggage and Waggons, with their Teams of Horſes properly belonging to the ſaid Officers.

Thirdly, It is agreed that they ſhall have a ſafe Convoy of one hundred Horſe from their Quarters to *Leſtithiel*, and thence in their march the neareſt convenient way to *Pool* and *Wareham*: Provided that

An. 1644. that they ſecure the ſaid Convoy's return to *Bridgwater*, or his Majeſties Army, and that in their march they touch not at any Garriſon.

Fourthly, It is agreed that in Caſe they ſhall march from *Pool* to any other place by land, that neither they nor any of them ſhall bear Arms (more than is allowed in the Agreement) nor do any Hoſtile Act until they come to *Southampton* or *Portſmouth*.

Fifthly, It is agreed that all the ſick and wounded Officers and Souldiers of that Army, who are not able to march, ſhall be left at *Foy*, and there ſecured from any Violence to their Perſons or Goods, and care taken of them, until ſuch time as they can be conveniently Tranſported to *Plymouth*.

Sixthly, It is agreed that all the Officers and Souldiers of that Army, for the better conveniency of their march, ſhall be permitted to receive all ſuch Moneys, Proviſions of Victuals, and other Accommodations, as they ſhall be able to procure from *Plymouth*; to which end they ſhall have a Paſs granted for any Perſons, not exceeding the number of twelve, whom they ſhall ſend for the ſame.

Seventhly, It is agreed that there be no inviting of any Souldiers, but that ſuch as will voluntarily come to his Majeſties Service, ſhall not be hindered.

Laſtly, The Subſcribers on both ſides do agree and engage their Faith and Honour, that all the above written Articles ſhall be kept inviolate.

Maurice.
Brainford.
Ph. Skippon.
Chriſtopher Whichcote.

Which Articles were afterwards approved by the Earl of *Eſſex* in theſe words under his Hand.

The Earl of *Eſſex*'s Approbation.

I *Do hereby Approve of thoſe Articles made and agreed upon betwixt the Officers of my Army, with the City-Brigade of the one part, and Prince* Maurice *and the Earl of* Forth *on the King's Party, near* Foy *in* Cornwall; *as being done with much Honour and Judgment, and as being of much advantage unto my Army, and a great Service to the Kingdom.*

ESSEX.

Some of the King's Souldiers contrary to Articles Stripp'd and Pillaged the Parliament Souldiers, who complained to Major General *Skippon*, and he perſonally addreſs'd himſelf to his Majeſty on their behalf, and his Majeſty being troubled for his Souldiers rudeneſs, promiſed the Articles ſhould be better obſerved.

Lieutenant

20 *Caroli.*

Lieutenant Collonel Adrian Scroop's *Teſtimony of the Parliament Souldiers Behaviour in their March (under his Convoy) out of* Cornwall.

L. C. *Scroop's* Teſtimony of the Parliament Souldiers Behaviour.

HIs Majeſty having employed me in the Conduct of the Earl of *Eſſex* his Army, from the Borders of *Cornwall* to *Wareham* and *Pool*, I do hereby ſignifie to all the World, that in the whole March the Gentlemen and Officers of that Army have expreſſed a Care becoming ſuch Perſons, and behaved themſelves as Perſons of Gallantry and Conſideration. And for the Common Souldiers they have not any way oppreſſed or injured the Countreys, but demeaned themſelves with extraordinary Civility, which in right to them cannot but be atteſted by me

Beare, Sept. 12. 1644.

ADRIAN SCROOP.

Major General Skippon's *Teſtimony of Lieutenant Collonel* Scroop.

M. G. *Skippon's* Teſtimony of L. C. *Scroop.*

WHereas by Order from General *Goring*, according to his Majeſties pleaſure, this Worthy Gentleman, Lieutenant Collonel *Adrian Scroop* hath been appointed to Convoy this part of his Excellencies the Earl of *Eſſex* his Army, for the preſent under my Command; which the ſaid Lieutenant Collonel *Scroop* hath done with exceeding Care, Pains, Nobleneſs and Faithfulneſs, having demeaned himſelf alſo conſtantly with all Diſcretion, Sobriety, Civility and Courteſie towards us. And whereas I am obliged according to an expreſs Article in the Treaty, in Faith and Honour to ſecure his return to *Bridgwater*, or his Majeſties Army: Theſe are in the moſt earneſt manner that can poſſibly be expreſſed, to requeſt and require (without Offence to any) that all Officers and Souldiers of Horſe and Foot, in the Parliaments Service, as they tender my Faith and Honour, (which is herein ſo deeply engaged) and as they will approve themſelves Men and Souldiers of Honour and Honeſty, to ſuffer the ſaid Lieutenant Collonel *Scroop*, with every Officer and Souldier of the ſaid Convoy, to return without any the leaſt prejudice and hinderance, to *Bridgwater*, or the King's Army, according to the ſaid Article, he the ſaid Lieutenant Collonel *Scroop* having for himſelf and Convoy faithfully promiſed to offer no injury, or do any hoſtile Act to any of the Parliaments Forces, until he with his Convoy, ſhall be ſafely arrived at *Bridgwater*, or the King's Army, as is before mentioned, he having alſo promiſed to ſecure back to one of our next Garriſons, all ſuch Officers, Trumpeters, or others of the Parliaments Armies which he ſhall deſire, whoſe Names are mentioned in a Paſs from me, and are by me appointed to go with him for the better ſecurity of his Convoys Paſſage.

Given under my Hand, and Subſcribed by the reſt of the chief Officers now preſent in this Army.

PH. SKIPPON.

An. 1644.

Afrer this Treaty in *Cornwall*, the two Houſes of Parliament wrote to the Earl of *Eſſex* this Letter, he having given an Account of the miſsfortune of their Army, and offered to come up to juſtifie himſelf, if they required it.

A LETTER to the Earl of *Eſſex*.

My Lord,

The Parliaments Letter to *Eſſex*, *Sept.* the 7th.

THE Committee of both Kingdoms having acquainted the Houſes of Parliament with your Lordſhips Letters from Plymouth, *they have commanded us to let you know, that as they apprehend the miſsfortune of that accident, and ſubmit to God's pleaſure therein, ſo their good Affections to your Lordſhip, and their Opinion of your Fidelity and Merit in the Publick Service, is not at all leſſened. And they are reſolved not to be wanting in their beſt endeavours for repairing of this loſs, and drawing together ſuch a ſtrength under their Command, as may with the Bleſſing of God reſtore our Affairs to a better Condition than they are now in: To which purpoſe they have written to the Earl of* Manchester *to march with all poſſible ſpeed towards* Dorcheſter *in* Dorſetſhire, *with all the Forces he can of Horſe and Foot. Sir* William Waller *is likewiſe Ordered to march ſpeedily unto* Dorcheſter, *with all his Horſe and Foot. The Houſes have appointed ſix thouſand Foot Arms, and five hundred pair of Piſtols, and ſix thouſand Suits of Cloaths, Shirts,* &c. *to meet your Lordſhip at* Portſmouth *for the Arming and encouragment of your Forces: And they are Confident your Lordſhips Preſence in thoſe parts for bringing the Forces together into a Body, and diſpoſing of them, will very much conduce to the publick advantage.*

Weſtminſter, 7 Septemb. 1644.

Your Lordſhips moſt Affectionate Friends,

Grey of *Werk*,
Speaker of the Houſe of Peers, *pro tempore*.

William Lenthall,
Speaker of the Commons Houſe in Parliament.

An Atteſtation of the Officers of the Army concerning their Diſaſter in Cornwall.

An Atteſtation concerning the Diſaſter in *Cornwall*.

FOrasmuch as all Actions, eſpecially thoſe which are Diſaſtrous, are ſubject to miſsinterpretation and various Cenſure, We whoſe Names are here ſubſcribed, Officers in the Army and City-Brigade, under the Command of his Excellency the Earl of *Eſſex*, do publiſh to thoſe who are deſirous to be truely informed, this Breviary of the Condition of the Army, as it ſtood at the time of the Capitulation. After that his Excellency with his Army had for a Month together withſtood the Fury of three Armies of the Enemy, his Soul-

diers

20 *Caroli.*

diers being tired out with perpetual Duty, and continual Fight, in daily Expectation of Relief; but none coming, it was at laſt reſolved that the Horſe ſhould make their way through the Enemy (which by God's Mercy they did perform very reſolutely, and with good ſucceſs) and that the Foot ſhould contract themſelves into a narrower Compaſs, near to *Foy*, which was put in Execution upon *Friday* night, and performed on *Saturday* the laſt of *Auguſt*, with ſuch difficulty, by reaſon of the ſteepneſs of the Hills and deepneſs of the wayes, that five of our Cannon were lodged, which retarded our march 'till the three Armies ſurrounded us, and cauſed a continual Fight for three Miles together upon our Retreat, wherein our Souldiers behaved themſelves ſo reſolutely, that we did often beat the Enemy back to their Body, and took three of their Foot-Colours, and five and twenty Horſe, and about threeſcore Priſoners: So that if we had had any freſh Men to have ſpared from our Poſts, (wherein the whole Army was upon continual Duty) we ſhould in all probability have had a great advantage upon the Enemy. But however at length (by God's Providence) we came to the place appointed by his Excellency, leaving a part of the Army to fight with the Enemy, until the reſt had taken their ground, which we happily perform'd before Night, ſuppoſing our ſelves then in Condition further to reſiſt the Enemy, notwithſtanding the extream wearineſs of our Souldiers; but by reaſon that two Regiments of the Army quitted their Poſt, and thereby gave the Enemy free paſſage betwixt us and *Foy*, we being then block'd up upon a bare Hill, from all Succours both of Proviſions and Ammunitions, not having Proviſions of Bread or Match for above one dayes expence; of all which his Excellency being informed, about Ten of the Clock at Night did deſire that if it were poſſible the Army might be drawn to *Millebelly-Bay*, for the better ſecuring of the Army, and gaining Proviſions by Sea, which was impoſſible to be performed, the Enemy being ſo near upon our Skirts; whereof when his Excellency was truly informed by ſome of our Chief Commanders, and that it appeared that the Army could not be ſaved but by a Treaty, and therein his Excellencies perſonal Preſence would have been in humane Judgment of more diſadvantage than benefit; he going by Sea to *Plymouth*, with the Lord *Roberts* and Sir *John Merrick* in his Company: We unanimouſly conſented to enter into a Treaty with the Enemy, and agree to thoſe Articles, which being already expoſed to publick View, we referr you thereunto; theſe Articles being ſince approved by his Excellency, as being of great advantage to the Army, and of great Service unto the Kingdom.

Ph. Skippon.	*Ro. Martin.*
Chriſto. Whichcote.	*Ro. Moor.*
Hen. Barclay,	*Rich. Ingoldsby.*
Tho. Gower.	*Geo. Mackenzie.*
Tho. Tyrril.	*Walter Floyd.*
Jo. Botteler.	*Will. Webb.*
Will. Hunter.	*Tho. Pride.*
Jo. Francis.	*Tho. Everſhet.*
Rich. Dean.	*Tho. Boulſtrode.*
Rich. Forteſcue.	*Matth. Draper.*
Jo. Were.	*Archibald Trahan.*

An. 1644.

SECT. III.

Eſſex goes to *Plymouth.*

THe Lord General went by Sea from *Plymouth* to *Portſmouth*, there to expect his Recruits; and the Lord *Roberts* continued in *Plymouth*, being by an Order of the 11*th.* of *September* made Governour of that Garriſon.

September the 12*th.* was appointed by the two Houſes to be ſolemnly kept as a Day of Humiliation in and about the Cities of *London* and *Weſtminſter*, for their late Loſs in the Weſt.

There were ſome Jealouſies that this Defeat in *Cornwall* was partly occaſioned by the Treachery of ſome Commanders in the Army, or their holding Correſpondence with the King's Forces, and in particular Colonel *Weare* and Colonel *Butler* were ſuſpected, the latter having juſt before been a Priſoner in the King's Army, and releaſed by exchange, and was ſaid after his return to have ſpread in the Army certain Inſtructions or Arguments which were prepared to have been made uſe of to *Eſſex*, if he would have entered into any Treaty upon his Majeſties Letter: As that the King was aſſured of a Party in both Houſes at *Weſtminſter*; That the *Scots*, if not prevented, had a deſign to Conquer this Kingdom, *&c.*

And as for Colonel *Weare*, his Regiment was the firſt that quitted their Poſt, the day before the Capitulation, and loſt their Cannon, which was alledged to be a main Cauſe of the Armies being reduced to that ſudden Extremity. And tho' the Colonel pretended to be taken Priſoner, 'twas ſuggeſted that he ſuffer'd himſelf ſo to be, and went willingly to the King's Forces.

Whereupon there was an Enquiry Ordered to be made into that matter; and Major General *Skippon* being Examined, depoſed as followeth.

The Examination of Major General Skippon.

Major *Skippon's* Examination, 23 *Sept.* 1644.

"MAjor General *Skippon* being Examined, ſaith, that Colonel "*Tyrrel* ſometime whilſt the Army was in *Cornwall*, acquaint-"ed him that Colonel *Butler* had brought ſome Propoſitions from the "King's Army; whereupon the Examinate told Colonel *Tyrrel*, that "at that time he had no leiſure to ſee them; that about two dayes "after we were upon our march Colonel *Tyrrel* read them to the "Examinate, whereupon he told Colonel *Tyrrel* that they were not "fit to be concealed; Colonel *Tyrrel* replyed, that he underſtood as "much, and that he had ſent or would ſend a Copy of them to Sir "*Philip Stapleton*, that at the time of the laſt Fight upon *Saturday* "was three weeks, being come to the place where we intended to "ſettle the Army, the Examinate commanded Colonel *Butler* to a "Poſt with his Regiment, and commanded Colonel *Weare* to the "next Poſt unto him, with ſix Pieces of Ordnance, whereof four were "belonging to *Butler*'s Regiment, and two to *Weare*'s. *Butler* ſeem-"ed very unwilling to draw his men to the place aſſigned, which oc-"ſioned the Examinate to tell him, that he wondred to ſee him ſo

"un-

"unwilling, and again Commanded him to the ſaid place. That
"afterwards Colonel *Weare* came to the Examinate, and told him,
"he could not maintain his Poſt; the Examinate ſent him back, and
"bad him maintain it as long as he could; and afterwards it being
"dark, Colonel *Butler* came in like manner, and told him he could
"not maintain his Poſt, becauſe he could not keep above two hun-
"dred men together, and that therefore he had drawn off the Regi-
"ment: The Examinate did not know then nor ſince that any man
"was ſlain there at that place, and ſaith that none of the King's Party
"did preſs upon that Poſt to poſſeſs it, but the ſame was free the
"next morning; and the Examinate was told that there was not a-
"bove fifty of the Enemy that had preſſed at that time upon that
"Poſt. When Colonel *Butler* had told the Examinate that he had
"drawn off his Regiment, the Examinate told him it was impoſſi-
"ble, for then an open way was left for the Enemy to come between
"us and *Foy*; that the withdrawing from this Poſt was one of thoſe
"things which neceſſitated them to enter into ſo ſudden a Treaty.
"That his Excellency ſent word to the Examinate to know if he
"could draw the Foot and Train into a narrower compaſs; the Exa-
"minate ſent him word that it was impoſſible, the Enemy lying ſo
"near upon their Skirts; and afterwards the Examinate received no
"Order from his Excellency concerning the entry into a Treaty with
"the Enemy, nor otherwiſe concerning the Army. Colonel *Butler*
"told the Examinate that my Lord General and my Lord Field-
"marſhal were gone to Sea, and then telling the Examinate that his
"Excellency uſed expreſſions to this purpoſe, He had rather fall in-
"to the hands of God than Man; for if the Enemy ſhould take him,
"they would uſe him reproachfully. And being further aſſured here-
"of, the Examinate called the Officers together, to adviſe what was
"to be done, who unanimouſly adviſed the Entry into a Treaty with
"the King or his General, becauſe they wanted Proviſion and Ammu-
"nition, and in reſpect the Souldiers were wearied out with con-
"tinual Duty, and of the abſence of my Lord General. And the
"Examinate believeth that his Excellencies abſence was no diſadvan-
"tage to the Treaty, and intends to lay no blame upon my Lord
"General's Regiment, but leaves Colonel *Butler* to anſwer for him-
"ſelf.

20 *Caroli.*

Colonel *Butler* offering to be tryed for this matter, came up to *London* upon his Parole, being ſent by the Earl of *Eſſex*, who declared that he had alwayes eſteem'd him as a ſtout Man, but would freely leave him to Juſtice, and ſo he was Committed to the *Tower*. And ſometime after Colonel *Weare* (having got his Liberty) came up alſo to the Parliament, and ſtood upon his Juſtification, who was likewiſe ſecured.

Soon after this Succeſs in *Cornwall*, his Majeſty returning from thence with his Forces, ſent the following Meſſage, Directed

An. 1644.

To the Lords and Commons of Parliament Aſſembled at *Weſtminſter.*

C. R.

The King's Meſſage from *Taveſtock*, *Sept.* the 8th. 1644.

IT having pleaſed God in ſo eminent a manner lately to Bleſs our Armies in theſe parts with Succeſs, We do not ſo much joy in that Bleſſing for any other Conſideration, as for the Hopes we have, that it may be a means to make others lay to heart, as We do, the miſeries brought and continued upon Our Kingdom by this unnatural War.; and that it may open your Ears, and diſpoſe your Minds to embrace thoſe Offers of Peace and Reconciliation which have been ſo often and ſo earneſtly made unto you by Us; and from the conſtant and fervent endeavours of which We are reſolved never to depart. In purſuance whereof We do upon this Occaſion conjure you to take into your Conſideration our (too long neglected) Meſſage of the 4th. *of* July *from* Eveſholm, *which we again renew unto you, and that you will ſpeedily ſend Us ſuch an Anſwer thereunto, as may ſhew unto Our poor Subjects ſome light of a Deliverance from their preſent Calamities by a happy Accommodation: Toward which we do here Engage the Word of a King, to make good all thoſe things which We have herein promiſed, and really to endeavour a happy Concluſion of this Treaty. And ſo God direct you in the ways of Peace.*

Given at our Court at Taveſtock, *the Eighth Day of* September, 1644.

By his Majeſties Command,

GEO. DIGBY.

The Parliament Vote againſt the Direction of this Meſſage.

With this Meſſage was ſent a Duplicate of the former from *Eveſham*, and the two Houſes having taken the ſame into Conſideration, Voted, That the Directions of the ſaid Meſſages, and the Matter therein contained, did not ſufficiently acknowledge them to be the Two Houſes of *Parliament of England*, and therefore declined the returning any Anſwer thereunto, but Ordered to proceed with all Expedition in preparing and adjuſting the *Propoſitions* for Peace, which they had for ſome time been framing.

On the 10*th.* of *September* his Majeſty came in Perſon before *Plymouth*, and ſent a Summons to that Town to this effect:

The King's Summons to *Plymouth*, *Sept.* the 10th.

That God having given him a great Victory, yet as his deſire ever was to reduce his People by Acts of Grace and Clemency, ſo he is deſirous to put a ſpecial Mark of Favour on his Town of Plymouth, *and doth therefore require them to Surrender up the Town, aſſuring them on the Word of a King that they ſhall enjoy all their wonted Priviledges, and have no other Garriſon put upon them than what they had in the moſt peaceable times,* viz. *in the Fort and in the Iſland; promiſing Pardon to all Townsmen*

men and Souldiers for what was paſt, and to entertain ſuch as ſhall be willing into his Service, and requiring their ſpeedy Anſwer.

Likewiſe a Letter was written to the Lord *Roberts*, the Governour, from the Lord *Digby*, inviting his Lordſhip to comply with his Majeſty, and Surrender the Town, making large Offers and Promiſes of Preferment.

But theſe Overtures being refuſed, ſeveral fierce Aſſaults were given to the Town, without effect; ſo that after ſome time ſpent there, his Majeſty's Forces quitted the Siege. And not long after, one Mr. *Greenvil* had a Deſign to betray that Town, offering Colonel *Serle* (a Commander in the Garriſon) Three thouſand Pound for that purpoſe: Who diſcovering it, *Greenvile* was Condemned at a Council of War, and Executed *Septemb.* 24th.

The King's Forces march off from before *Plymouth.*

Mr. *Greenvile* Executed for a Deſign againſt *Plymouth.*

But General *Goring* advancing againſt *Barnſtaple*, after a ſhort Siege, brought it to ſurrender upon Conditions, for the Garriſon to march away with a Convoy to *Portſmouth*, with Drum beating, Colours flying, and their Arms: And that the Town ſhould not be Plundered, nor the Inhabitants moleſted. Here his Majeſty gained above Fifty Pieces of Ordnance; and at *Ilfar Combe*, taken a few days before, near Twenty.

Barnſtaple taken by the King, *Sept.* 17.

About this time, his Electoral Highneſs the Prince *Palatine*, Elder Brother to Prince *Rupert* and Prince *Maurice*, unexpectedly came into *England*, landing at *Graveſend*, Thurſday 29*th.* of *Auguſt*. Which the Parliament having notice of, in reſpect of his Quality, ſent a Committee to complement him, and ordered an Appartment in *Whitehall* to be prepared for him: And on the *Munday* following ſent a Committee with a Meſſage to this effect, "That the Parliament knew not "of his Highneſs's Arrival until *Thurſday* laſt at Noon; and there- "fore were much ſurprized, by not being informed thereof before- "hand; and conceived that his Reſidence at this time in Foreign "Parts, might be of greater Advantage to the Publick: For the Par- "liament have always been very tender of the Affairs of his High- "neſs, and will continue the ſame Regards, and are ready to expreſs "it in their Actions, and faithful Advice.

The Prince Elector comes to the Parliament.

The *Parliament's* Meſſage to the Prince Elector *Septemb.* 2.

To which his Highneſs returned Anſwer to this purpoſe: "That "he held himſelf much obliged to the Parliament for their former Fa- "vours; and that his comming, was to expreſs that in Perſon, which "he had often done by Letters, of his ſincere Affections unto them: "And to take off ſuch Jealouſies as either the Actions of ſome of his Re- "lations, or the ill Offices of his Enemies might by his abſence caſt "upon him. That his Wiſhes were conſtant for a good Succeſs to "that Great Work they had undertaken, for a *Thorough Reformation*; "and that his Deſires were, to be ruled and adviſed by their grave "Counſels; and being ready to ſerve them, will with chearfulneſs "embrace their Advice.

The Prince's Anſwer.

His Majeſty being adviſed of this Prince's being at *Weſtminſter*, ſent the following Letter to him from *Taveſtock*, (which is the reaſon I mentioned him in this place.)

His

An. 1644.

His Majesties LETTER to the *Prince Elector.*

His Majesty's Letter to the Prince *Elector* from *Tavestock*, Sept. 17.

NEPHEW,

I being a Natural Curiosity in me, to know the reason of your Actions, I had never so much Reason as now to desire it: As I wondred at, so as yet I never knew the reason of your Journey from York *to* Holland: *But your coming at this time into the Kingdom, is in all respects much more strange unto me; yet 'tis possible the latter may interpret the former. And believe me, the Consideration of your Mother's Son, is the chief, I may say the only Cause of my Curiosity: For as to my Affairs, your being here in the way you are, is not of that Importance as to make me curious to enquire upon your Actions; but the great Affection I bare my Sister, being a sufficient Reason for me to desire that all who appertain to her, should give a fair Account of their Actions, makes me now ask you, First, Upon what Invitation you are come? Then, the design of your coming? Wishing by your Answer I may have the same Cause and Comfort I have heretofore had, to be,*

Tavestock, Sept. 27. 1634.

Your Loving Unkle,
and Faithful Friend,
C. R.

What Answer the Prince returned to his Majesty, I find not; but he stayed for some time at *Whitehall*, and requested the Parliament that he might be permitted to hear the Debates in the Assembly of Divines: Which by an Order of both Houses, *Octob.* the 24*th.* they conceded, and he was often present (as an Auditor) in that Assembly.

The King's Proclamation, *Septemb.* 21. to Prorogue the Assembly of the Lords and Commons at *Oxford.*

The King advanced with his Army from *Tavestock* to *Exeter*; where he set forth a Proclamation, dated from thence, *Septemb.* 21*st.* whereby his Majesty declared his Pleasure, That the Assembly of the Lords and Commons of Parliament, at *Oxford*, should be Prorogued from the 8*th.* of *October*, (the time which they had at their Recess, appointed for their Meeting again,) unto the 9*th.* day of *November*, by which time his Majesty intended to be at *Oxford* in Person.

And being come further Eastward, to *Chard*, his Majesty caused another Proclamation to be published, as followeth:

By

20 *Caroli.*

By the KING,

A PROCLAMATION, declaring his Majesty's Resolution for settling a speedy Peace by a good Accommodation; and an Invitation to all his Loyal Subjects to joyn together for his Assistance therein.

His Majesty's Proclamation from *Chard*, *Sept.* 30. That all the Countries should rise and come to his Assistance, being marching for *London*, to procure a Peace.

AMong the many Troubles wherewith (for more than two years last past) we have been involv'd, nothing hath more afflicted us, than the real sense of our Subjects Sufferings, occasion'd by this unnatural War; and the chief of our Care hath been (and by God's Assistance shall still be) to settle them in a happy Peace, with that freedom of enjoying the exercise of their Religion, Rights and Liberties, according to the Laws of this Kingdom, as they or any of their Ancestors enjoyed the same in the best of Times of the late Queen Elizabeth, *or our Royal Father. And as we have always profes'd in the sincerity of our Heart, that no Success shall ever make us averse unto the Peace; so have we always, when God hath blessed us with any eminent Victory, solicited the Members of both Houses of Parliament remaining at* Westminster, *by frequent Messages, for a Treaty conducing thereunto; And in particular, upon our late Victory over the Earl of* Essex's *Army in* Cornwall, *(which we wholly attribute to the immediate Hand of God,) we presently dispatcht a Message to them, to desire a Treaty for Peace and Accommodation; of which, as likewise for that former Message for Peace which we sent them from* Evesholm *the* 4th. *of* July *last, we have yet received no Answer; and therefore have resolved with our Army to draw presently towards* London, *and our Southern and Eastern Counties, not looking upon these Parts as Enemies to us, and so to suffer by the Approach of our Army, or the Disorders thereof, (which we will use all possible means to prevent;) but as our poor Subjects, oppressed by Power, (of which we rest assured the greater part remain Loyal to us,) and so deserving our Protection: And we hope that at a nearer distance of place, there may be begot so right an understanding between Us and our People, that at length we may obtain a Treaty for Peace, and a full, free and peaceable Convention in Parliament, and therein make an end of these unhappy Differences by a good Accommodation: In which we hereby assure all our People, upon our Royal Word, and the Faith of a Christian, (which is the greatest Security we can give them,) that we will insist only upon the settling and continuance of the True Reformed Protestant Religion, our own undoubted known Rights, the Priviledges of Parliament, and our Subjects Liberty and Property, according to the Laws of the Land; and to have all these settled in a full and Free Parliament, whereby the Armies on both sides may be presently disbanded, this Kingdom may be secured from the danger of a Conquest by Foreign Forces, all Strangers now in Arms may return to their own Countries, and our poor Subjects be freed of those grievous Burthens which by reason of the late Distractions have (much against our Will) too much pressed them.*

And to the end our Subjects may be no longer misled by false Pretences, we do desire all of them, as well in our own Quarters, as where the Rebels have usurped a Power, to take into serious Consideration the Duty and Loyalty which by the Law of God, and their Oath of Allegiance, they owe unto us; and more particularly that part thereof which concerns the Defence of Our Person, and Assistance of Us against Rebels, and such as rise in Arms against us;

An. 1644.

us; which they may find plainly ſet down in the Statute of the Eleventh Year of King Henry *the Seventh*, Cap. 1. *And we do hereby require our Subjects within our own Quarters, through or near which we ſhall paſs, by that Duty they owe to Us and their Countrey, that they forthwith prepare themſelves with the beſt Arms they can get, to be ready to joyn, and go along with us in this preſent Expedition, (we reſolving to take ſpecial care to place them under the Command of Gentlemen of Quality of their own Countries, to their good Content and Satisfaction.) And we likewiſe Require and Authorize all our good Subjects, as well the Trained Bands, as others of our City of* London, *and our Southern and Eaſtern Counties, to Chuſe their own Commanders and Leaders among thoſe Gentlemen and Citizens that are of approved Loyalty to us, and Lovers of the Peace of their Countrey, and upon our approach towards thoſe Parts, to put themſelves into Arms, and march in warlike manner to aſſiſt us in this good Work, and free themſelves from the Tyranny of their Fellow-Subjects, under which they groan; Commanding and Authorizing them to ſeize ſuch places of ſtrength in thoſe Southern and Eaſtern Counties as the Rebels have poſſeſſed themſelves of, to oppoſe with force of Arms ſuch Perſons as ſhall reſiſt them in Obeying theſe our Commands; and to apprehend and ſecure the Perſons of all ſuch as ſhall endeavour to continue this Rebellion, and to hinder the ſettling of the Peace of this Kingdom in a full and free Convention of Parliament, (the only viſible means left by the Bleſſing of God to redeem this Nation from utter ruine:) Wherein we will afford our utmoſt Protection and Safety unto all our Subjects that ſhall give Obedience to theſe our Commands. And as we doubt not but that all our good Subjects will come chearfully to our Aſſiſtance for ſo good an End, (beyond which we do not require it;) ſo we truſt that God, who hath hitherto wonderfully preſerved us, will Crown this Action with happy Succeſs, for his Glory, and the Welfare of this poor Nation.*

Given at our Court at *Chard*, the 30*th.* day of *Septemb.* 1644.

GOD SAVE THE KING.

Plimouth Men take *Salt-Aſh*, Octob. 4.

Part of the King's Army was left under Sir *Richard Greenvile*, in *Cornwall*, and near *Plymoth*, to prevent the Excurſions of that Garriſon; who yet on the 4*th.* of *October* ſent forth a commanded Party, who entred *Cornwall*, aſſaulted the Town of *Salt-Aſh*, wherein was a Garriſon for the King; and after a ſhort Encounter made themſelves Maſters of it. And next day, more Forces in Boats were ſent out from *Plymouth*, and landed at *Milbrook*, and took that Town alſo, and the Fort between it and *Salt-Aſh*. But Sir *Richard Greenvile* having notice of it, marched thither, and not only drove them out of *Milbrook*, killing about Forty, and taking Thirty three Priſoners; but alſo took *Salt-Aſh* by Storm, and after great ſlaughter, carried off between Two and Three hundred Priſoners.

Salt-Aſh retaken by Sir *Richard Greenvile.*

His Majeſty being at *Sturmiſter*, in *Somerſetſhire*, on the 9*th.* of *October*, divers Gentlemen, and Others of that County, waited upon him with the following *Addreſs*:

To

20 *Caroli.*

To the KING's moſt Excellent Majeſty:

The Humble PETITION *of the Gentry, Free-holders, and Others your Majeſties Loyal and Proteſtant Subjects of your County of* Somerſet.

Moſt Humbly Sheweth,

The *Somerſetſhire* Addreſs to the King, *Octob.* 9.

"THat among the many Miſeries that the preſent War hath "brought upon them, it hath been a great Comfort to them "to ſee your Majeſty's pious Inclinations to, and continued Endeavours "for ſettling Peace again; and they had hoped your Majeſty's gra- "cious *Meſſage* to that purpoſe would have produced that deſired Ef- "fect: But not finding that Succeſs anſwerable to their Expectations, "and your Majeſty being now upon a march nearer towards *London*, "they humbly beſeech your Majeſty, that they may have *liberty to wait "in Perſon upon your Majeſty*; and at a nearer diſtance of place, be- "come Petitioners to the Lords and Commons of Parliament aſſem- "bled at *Weſtminſter*, to embrace your Majeſty's moſt gracious Offers "of Peace, and put an End to the Calamities of this diſtracted, and "almoſt ruined Nation, with due care to the Preſervation of the *True "Reformed Proteſtant Religion*, your Majeſty's *Rights* and *Honour*, the "*Priviledges* of *Parliament*, and your Subjects *Liberties* and *Proper- "ties*, according to the Laws of this your Kingdom. And in caſe they "may not obtain ſo juſt a Requeſt, they ſhall hold their Lives beſt "ſpent in aſſiſting your Majeſty to compaſs that by the *Sword*, which "by other Fair and Juſt ways could not be effected: To which end "they deſire liberty to put themſelves into Arms; and as they have "always *lived*, ſhall rejoyce to *die* your Majeſty's moſt Loyal and Faith- "ful Subjects.

His Majeſty perſonally declared his full Approbation of theſe Petio- ners Deſire and Reſolution for Peace; and ſoon after, by the Duke of *Richmond* and *Lenox*, gave them this Anſwer:

The ANSWER to the foregoing PETITIONERS.

Sturmiſter, Octob. *9th.* 1644.

The Anſwer by the King's Order.

"I Am commanded by his Majeſty to ſignifie to the Petitioners, "That he well approves their Hearty and Loyal Affections, and "is graciouſly pleaſed to accept the free Offer of their Service to him, "with Thanks; and gives them free liberty to meet and put them- "ſelves in Arms, according to their deſire, and to wait upon him; "And doth freely give them leave to become Petitioners of the Lords "and Commons of Parliament aſſembled at *Weſtminſter*, for com- "poſing the unhappy Differences of this poor Kingdom in a peaceable "way; and ſhall be glad to have the Petitioners, and all other his "Loyal and Well affected Subjects preſent with him, and be Witneſſes

An. 1644

"who is in the fault, if they be not presently restored to a happy "Peace again: He hereby assuring them, that he will only insist upon "the Preservation of the true Reformed Protestant Religion, his own "known Rights, the Priviledges of Parliament, and his Subjects Li-"berties and Properties, according to the Laws of the Kingdom; and "shall endeavour to have all these settled in a *full and free Convention of* "*Parliament*. And because he would not have the good Intentions of "the Petitioners frustrated, he wisheth them to take care to make such "Provisions as may be necessary for their Journey, and they shall not "fail of his best Assistance likewise therein. And his Majesty doth "Command the Sheriff of the said County, to summon the *Posse* there-"of, or any other Persons, Inhabitants of the same, at such times, and "to such places as the Commissioners shall think fit, for the advance-"ment of this business.

Richmond and *Lenox*.

There was also a Petition prepared by them, to be presented to the Two Houses at *Westminster*; which ran in these words:

To the Lords and Commons of Parliament, assembled at Westminster:

The humble Petition of the Gentry, Clergy, Free-holders, and other his Majesty's *Protestant Subjects*, of the County of *Somerset*.

The *Somersetshire* Petition to the Parliament.

THough we have been very much discouraged from making any Addresses to you of this nature, by reason that those many made by his Majesty have been hitherto ineffectual; yet being moved, not only by his constant and unwearied Example, but by that most gracious Expression of his sense of our Miseries in this particular, that he descends to suffer us to make an humble Overture of that, for which in all Equity he ought to have been Petitioned by you: And believing that you, who have an equal share in the Sufferings, cannot but have an equal sense of the Calamities of the Kingdom; we humbly offer to your Consideration, That we who profess the same Protestant Religion, and have an equal Interest in the Liberties and Properties of the Subject with you, cannot be so false to our selves, as either to give up that *to* Popery, *or* these *to an* Arbitrary Government. *That as we now come to hazard our Lives with his Majesty upon a well-grounded Belief of his Promises; so we will be no less ready to engage them in being Sureties for his real Performance; and therefore desire you to lay by the too tender sense of those imaginary Evils, which you only* fear, *and to joyn hands with us in an happy Treaty, for the removal of those real Evils which we so sensibly suffer; and that as we have always met in the same Professions, so we may at last meet in the real Performances of what we have so long profess'd, The Maintenance of the Protestant Religion; The Safety of his Majesty's Person, and undoubted Rights; The Liberty and Property of the Subject, and the just Priviledges of Parliament.*

The King advanced out of *Somersetshire* into *Wiltshire*, and came to *Salisbury*, Octob. 15*th*. *Waller*, who was joyn'd with Lieutenant-General *Middleton*, and the Lord General's Horse, retreating, that the

the General's Foot, (who being now Recruited and Arm'd, were ready to take the Field;) and the Earl of *Manchester*'s Army (which was on its march) might come up to them. His Majesty staid at *Salisbury* three Nights, and on *Friday*, Octob. 18th. advanced towards *Andover*; where a Skirmish happened; some of his Majesty's Forces falling upon *Waller*'s Rear, and on both sides about twenty Men were slain. The next day his Majesty march'd to *White-Church*, and sent out the Earl of *Northampton* with his Brigade of Horse, to raise the Siege of *Banbury-Castle*, (which ever since the 19th. of *July* had been beleaguered by Colonel *John Fiennes*:) Accordingly, on the 25th. of *October*, my Lord having joyn'd some Horse and Foot from *Oxford*, under the Command of Colonel *Gage*, came up to *Banbury*, and raised the Siege, doing considerable Execution, took one Piece of Ordnance, and three Waggons loaded with Arms and Ammunition; and Colonel *Fiennes*, overpowered with Numbers, though he made a good Defence, had much ado to make good his Retreat to *Warwick*. But by this service his Majesty was deprived of the Assistance of this Brigade of Horse at the Battle of *Newbery*, which happened two days after: For the Parliament had been diligent to recruit *Essex*'s Army, and therefore sent down by Sea six thousand Arms for his Foot that came out of *Cornwall*; and also New-cloath'd them; and likewise furnished him with a new Train of Artillery, which was sent by water as far as *Reading*, and thence to be Convey'd by *Manchester*'s Army to meet him: So that on *Thursday*, Octob. the 17th. he took the Field, and advanced from *Portsmouth* to *Peterfield*; the next night quartered at *Alsford*; and on *Munday* the 21st. his Forces, and *Wallers*, and the Earl of *Manchester*'s, who upon this occasion were commanded to march out of the Associated Counties, did all joyn together near *Basing*; the Body of the King's Army quartering then at *White-Church*, and part of his Horse within five Miles of them. Also the City Brigade, Commanded by Sir *James Harrington*, (consisting of the Red and Blue Regiments of Trained-Bands of the City of *London*, the Red Regiment of Trained-Bands of *Westminster*, the Yellow Regiment of Trained-Bands of *Southwark*, and the Yellow Regiment of Auxiliaries of the Hamlets of the *Tower*,) making in all Five thousand Men, or upwards, were upon their march, for whose maintenance, by an Ordinance of the 12th. of *Octob.* there was raised Twenty two thousand Pounds.

20 *Caroli.*

The Siege of *Banbury-Castle* raised by the Earl of *Northampton*, October 25.

Touching this Conjunction of their Forces, to prevent Feuds and Animosities between the Commanders, Letters were sent to the principal Officers, to perswade them to Unity. They were much of the same Tenour: That which came to Major-General *Skippon*, was in these words:

A LETTER from the Committee of State, to the Principal Commanders.

SIR,

Upon serious Consideration of the Disputes and Differences that do usually grow upon the Conjunctures of Armies, Brigades and Parties that are under several Commands, about the Right and Priviledge of Command in Chief; and how inconsistent with the safety of our Affairs at this time such Disputes are like to be, we have thought fit to recommend the same unto

A Letter from the Committee of State, to their Principal Commanders, to prevent Feuds and Disputes between them, *Sept.* 10.

An. 1644. *unto your most ſerious Conſideration, as we have alſo done to the reſt of thoſe that have the Command of thoſe Armies and Brigades which are to joyn, for preventing the Kings march Eaſtward; and earneſtly to deſire, that upon the Contemplation of the Common Intereſt, every Man will lay aſide all Particulars, and unanimouſly and heartily joyn in all Counſels and Endeavours for the Publick Service; wherein we deſire to propoſe, as an Example, that fair and amicable Agreement that was between the three Generals at York, wherein all that time that they were together, there never grew any Diſputes or Differences about Command: And we hope there will be ſuch care taken by your Wiſdoms, and by Conſent the Commands ſo ordered now in this Conjuncture, as the Service may not be retarded, Your Selves weakened, and the Enemy encouraged by your Diviſions; but by a firm Union, and common Tendency, the Publick Work may be carried on with ſuch advantage, as by the Bleſſing of God upon it, may have the wiſhed Succeſs of an happy Iſſue, and ſpeedy End of all theſe Troubles.*

Signed in the Name, and by the Warrant of the Committee of both Kingdoms, by,

Darby-Houſe, *Tour very loving Friends,*
Sept. 10. 1644.

William, Say *and* Seal, *London.*

The 22*d.* of *October* was ordered by the Parliament to be kept ſolemnly, as a Day of Prayer and Humiliation for a Bleſſing on their Arms: And becauſe they daily expected an Engagement, ſeveral Chyrurgeons were ſent down to the Army; and alſo the Committee of both Kingdoms diſpatch'd two of their Members, the Lord *Wareſton*, and Mr. *Crew*, to reſide with the Armies, and conſult with the General.

On the ſaid 22*d.* day there was great Expectation of a Battel, and ſome ſmall Skirmiſhes; but his Majeſty facing the Parliamentarians with a Party of Horſe, drew off his Infantry from *Kings-Cleer*, and marched with his Army to *Newbery*; and the Parliaments Armies to *Reading*, and thereabouts: On the *Wedneſday* the Parliaments Forces quartered in *Aldermarſton-Park*, and on *Friday* came to Rendezvouz on *Buckleberry-Heath*, about five miles from *Newbery*, to which they directly march'd.

Why *Eſſex* was not with the Armies.

But General *Eſſex* being (as it was reported) under ſome Indiſpoſition of Body, was abſent from the Army: Touching which, Mr. *Whitlock* gives this Account:

Whitlock's Memorials, *fol.* 103

The Houſes being informed that the Lord-General was not well, and ſtayed behind the Army, ſent a Committee of Lords and Commons to viſit him, and to expreſs the Affections of both Houſes to him: This was not (as was given out) a piece of Courtſhip; but, I think, Real; and there was cauſe enough it ſhould be ſo, the General having ſo highly deſerved of them: Yet there were ſome who had Deſigns againſt him, and were deſirous to remove him from his Command, becauſe they were jealous that he was too much inclined to Peace, and favouring of the King and his Party. I think I knew as much of his Mind as others did, and always obſerved him to wiſh for Peace; yet not upon any Diſhonourable or Unjuſt Terms: He was a Lover of Monarchy and Nobility, which he ſuſpected ſome deſigned to deſtroy; together with Gentry, Miniſtry and Magiſtracy; which humour began then to boyl up, but he

20 *Caroli.*

he reſolved to ſuppreſs them, and wanted not Advice to that end: But the Jealouſies upon him (who was a moſt faithful and gallant Man and Servant to the Publick,) gave him great trouble in his Thoughts; and they did work ſo high with his Enemies, that ſome gave out he was by private Intimation to forbear Engaging in this Service [*at* Newberry,] *and for certain he was not in it.*

Of the ſecond Battel at *Newbery*, Oct. 27.

The Parliaments Forces were conſiderably ſuperiour to the King's in number, and therefore it was thought that his Majeſty was willing to decline fighting with them, till Prince *Rupert* ſhould come up with Three thouſand Horſe and Dragoons; or at leaſt till the Earl of *Northampton*, (who had with him One thouſand Horſe, or upwards, beſides Foot from *Oxford*,) ſhould return from relieving *Banbury-Caſtle*; and therefore his Majeſty had caſt up Works about *Newberry*, fortified the Avenues, lined the Hedges, and kept within the Town, guarded with his Artillery; but upon the approach of the Parliaments Army, cauſed his Horſe and Foot to draw out into *Speen-Field*, the mid-way between *Newberry-Town* and *Denington-Caſtle*; as well to make his Army ſeem more Numerous, as to embattel them to Advantage: But little paſſed that day, for there was a River between them, only the Cannon play'd, though with no great Execution, and ſome Skirmiſhes and Picqueering happened between the Horſe-men; ſo the greater part of the Parliaments Forces retreated to *Cheveley*, and quartered there that Night in the Field. Here it was reſolved at a Council of War, to divide their Forces; *viz.* That all the General's Horſe and Foot, part of *Mancheſter*'s Horſe, and moſt of the Forces under the Command of *Waller*, with the City Brigade, ſhould march to *Speen-Hill*; and the Earl of *Mancheſter*'s Foot, and part of his Horſe, to continue in the Field near *Shaw*, a ſmall Village, where the Houſe of one Mr. *Dolman* was fortified by his Majeſty's Forces; and it was agreed, that ſo ſoon as the latter ſhould, by the diſcharging of the Cannon, underſtand that thoſe at *Speen* were engaged, *Mancheſter* ſhould fall on to gain the Paſſage at *Shaw*, and give a Diverſion of that part of the Army deſigned for *Speen*: The Horſe were commanded by Sir *Will. Waller*, and Sir *Will. Balfour*; the Foot by Serjeant Major-General *Skippon*, who by break of day, on *Sunday* the 27*th.* of *October*, were on their march; and in four hours time, having fetch'd a Circle to avoid the Shot of *Denningtop-Caſtle*, (who yet made a Sally on their Rear, and took ſome Priſoners,) and by the way having intercepted ſome Carts loaden with Proviſions for his Majeſty, made their approach towards the Weſt ſide of *Newberry*: In which march they received the News that *New-Caſtle* was taken by Storm, and the *Iriſh* Rebels in *Ulſter* defeated, which they took to be matter of great Encouragement, and a kind of Omen of Victory. It was near Three a Clock in the Afternoon e're they could get themſelves into Battalia; then the *Forlorn-Hopes* of Horſe began the Fight, ſeconded by the Foot; ſo that (to uſe the words of the Committee attending the Army, in their Letter giving an Account of this Fight,) for three hours the Fight was maintained with as much Reſolution, Bravery and Deſperateneſs on both ſides, as had been ſince the commencement of the War; but in concluſion the Parliaments Forces beat the King's from their Works at *Speen*, and out of that Village, and took nine Pieces of Cannon, among which ſix were thoſe they loſt in *Cornwall*; which the Foot that were there diſarm'd, ventured deſperately to regain; and when they had got them, embraced them for Joy, ſaying they would give them

An. 1644. them a *Corniſh Hug*; but the Night coming on, prevented further Action.

On the other ſide *Newberry*, *Mancheſter* the ſame *Sunday* Morning commanded a Party of about four hundred Muſqueteers to go over the little River *Kennet*, on the left-hand of *Shaw*, thereby to divert the King's ſtrength from attending *Speen-Hill*; who advanced accordingly, and beat out the King's Forces out of two of their Works, and took ſome Priſoners, but were at laſt beat back with conſiderable Loſs. Towards Three or Four a Clock, hearing the Cannon play from *Speen-Hill*, *Mancheſter* drew forth two Drakes to play on Mr. *Dolman*'s Houſe, and commanded out a Party of five hundred Muſqueteers, as a Forlorn Hope, to attack the ſaid Houſe, and beat thoſe that ſallied out from thence in to their Works; and the reaſon why they did no more, was ſaid to be, becauſe Night came on.

In the Night the King marched out of *Newberry-Town*, and carrying up and ſecuring his Cannon, Carriages and Baggage in *Dennington-Caſtle*, march'd away to *Wallingford*, and ſo to *Oxford*; where, on the 1*ſt.* of *November*, in the *Preſence-Chamber* at *Chriſt-church*, he was pleaſed to confer the Honour of *Knighthood* on Col. *Gage*, for his having relieved *Bazing-Houſe*.

Major General *Skippon*'s LETTER to the *Committee of both Kingdoms*.

Right Honourable Lords, and Worthy Gentlemen!

A Letter from Major-General *Skippon*, to the Committee of both Kingdoms, touching the ſecond Battel at *Newbery*.

I *Humbly crave Pardon, that Time, taken wholly up by my preſſing Employments, could not ſuffer me e're now to give you an Account of our Proceedings, which I hope you have not wanted from better hands; I ſhall now endeavour to do it truly, and as briefly as I can. Thus it was: On* Friday *at night laſt, my Lord-General, my Lord of* Mancheſter, *and Sir* William Waller's *Forces being united, quartered about* Thacham, *where we had ſome light Skirmiſhes with the Enemies Guards on this ſide* Shaw. *The next Morning, our holding Reſolution was, That all the Horſe and Dragoons (except about One thouſand ſix hundred, or One thouſand eight hundred, out of all our Armies, and Two hundred Dragoons,) with all my Lord Generals Foot, and the four City Regiments, ſhould march about to* Speen-Village; *and that at one and the ſame time, as near as we could, my Lord of* Mancheſter's *Forces ſhould fall upon the Enemy, to gain the Paſſage at* Shaw, *and our Forces that marched about to do the like at* Speen; *which was accordingly put in Execution on the Lord's-day laſt in the Afternoon. Concerning what was done at* Shaw, *I preſume my Lord of* Mancheſter *hath given you a full Relation before now. On our ſide, the Foot was ordered to make the Attempt after this manner; for I leave the ordering and performance of the Horſe, to their own worthy Commanders Relation. The* Forlorn-Hope, *conſiſting of about Eight hundred Muſqueteers, was led by Colonel* Aldridge's *Lieutenant-Colonel* Lloyd, *a worthy Man, who was ſhot in the Arm; and my Lord* Roberts *Major* Hurry, *and lodged themſelves (fighting) cloſe to the Enemies Forlorn-Hope: His Excellency's Regiment fell upon the right-hand of them with great boldneſs; Colonel* Aldrige, *with his Brigade, conſiſting of his own, Colonel* Davies, *Colonel* Forteſcue, *and Colonel* Ingolsbies *Regiments, fell*

on

on directly on their main work with undaunted reſolution His Excellencies Regiment coming upon the right hand of them, they both fell pell-mell into the ſame Work. The two Red and the Yellow Regiments of the Citizens held the Enemy play on the right hand; Colonel Barclay *with his Brigade alone, wherein was his own, my Lord* Roberts, *and my Regiment, moſt reſolutely repulſed three violent Charges of the Enemies Horſe in the plain Field, and after that did further good Service: The Blew City Regiment came on the left hand of them; his Brigade and this Blew Regiment were the Reſerve. The ſumm is (after a very ſharp Fight for the time) the Enemy were quite driven out of all their Works and the Village of* Speen, *and had not Night prevented, probably we had by God's Bleſſing, and with the help of our own Horſe, utterly defeated their whole Army, which nevertheleſs in the Night left the Field in exceeding haſt and Confuſion. The King, Prince* Charles, *and Prince* Maurice, *with about ſeven or eight hundred Horſe, got VVeſtward (as we are credibly informed) the reſt of his Forces, leaving the Train in* Dennington-Caſtle, *went towards* Oxford, *all much ſhattered General* Ruthen's *Lady was taken ſeven or eight miles hence this day, himſelf (wounded as we hear) narrowly eſcaping thorough our own Parties, unadviſedly ſounding of a Trumpet, when they were near the place where he was repoſing himſelf. We had about fifty Souldiers ſlain, and as far as I yet hear, no Officer of Note but Captain* Gauler *of my Lord General's Regiment, a moſt forward ſtout man, who was ſlain within the Enemies chief Work, and about a hundred hurt. Truly, I believe never did Men perform ſo dangerous a Service, nor came thorow ſo difficult a Work with more undiſmayed Spirits than the poor handfull of my Lord General's old Foot, both Officers and Souldiers, in the mouth of Cannon and Muſquet-ſhot: How many the Enemy loſt I cannot affirm, but I believe a far greater Number than we: We took Nine good Braſs Pieces, ſix of them being Sakers, which we left behind Us in* Cornwall, *about four hundred Priſoners, who of Note more than my Lord* Cleaveland, *I have not yet heard.*

Your moſt Humble

Newberry,
Octob. 30. 1644. and Faithfull Servant,

PH. SKIPPON.

I ſhall here ſubjoyn the Account of this Battel, as it was Printed in the News-Book at *Oxford*, entituled *Mercurius Aulicus*, [the 44*th.* Week ending *November* 2. 1644.] where after he has recounted what Occurrences he thought fit on *Sunday, October* the 27*th.* he proceeds to relate this Action in theſe words following.

An. 1644.

An Account of the Battel at Newbery, *by* Mercurius Aulicus.

Munday, Octob. 28.

The Account given by *Aulicus* of this ſecond Battel of *Newbery*.

BUt the chief Buſineſs of *Sunday* was not certified 'till this morning, we mean the Fight at *Newbery* between his Majeſties Army and the Rebels, which they at *Weſtminſter* preſumed ſo much upon, being as confident as the Wickedneſs of their Cauſe would give them leave: For though his Majeſty in his march out of the Weſt, ſent part of his Army upon ſeveral Services, yet ſtill he chaſed the Rebels before him, who haſted towards *London*, and were as far as *Baſing*, near which place all their Strength (which the Earl of *Eſſex*, the Earl of *Mancheſter*, Sir *William Waller*, and the reſt could make up) were gathered into one Body, and marched to a general Rendezvouz, on *Wednesday* laſt, *October* 23. (a day they have had reaſon to remember any time theſe two Years:) They durſt not adventure the bruiſing of their Army upon *Baſing* Garriſon, but left it on *Tueſday* laſt, after their Out-guards (within half a mile of *Baſing*) had been beaten up by Captain *Markham*, with a Party of Horſe of the Queens Regiments, his Majeſties Army being then at *Kingsclear*. The Rebels lay in *Aldermarſton-Park* all that day and *Thurſday*: On *Thurſday* Night they came privately over the Water at a Ford near *Padworth*, and next morning drew to *Bucklebury*, within five miles of *Newbery*, where his Majeſty then was: On *Bucklebury-Heath* the Rebels made their Rendezvouz, having refreſhed their Army with what *Reading* could afford, moſt of them having three dayes Proviſion prepared in their Snap-ſack, as themſelves confeſs. From *Bucklebury* they ſent out ſeveral Parties to have fallen into his Majeſties Horſe Quarter, but were well repulſed by Lieutenant General *Bovel*, Lieutenant Colonel to Sir *Francis Doddington*. About Twelve a Clock on *Fryday* they drew down their whole Army between *Thatcham* and *Shaw*, whence by divers ſtrong Parties they attempted to have forced the Horſe-quarters at *Shaw*, but were met by part of Prince *Maurice*'s Regiment of Horſe, which Skirmiſhed with them, killed ſome of them, and then drew back to a Field before *Shaw*, leaving ſome Foot and Dragoons to diſpute the Hill, which (according to Order) was done 'till Midnight. On *Saturday* morning the Rebels drew their Cannon, with four great Bodies of Foot, and ſome Horſe, to that Hill; there they ſtood in Battalia, and ſhot with their great Ordnance all the Afternoon, but effected nothing: While their Cannon played from this Hill, they drew the reſt of their Army through *Winterborn* towards *Boxford*, to have girt in his Majeſty, which was all they did that Night; but early yeſterday morning before it was light, above eleven hundred of thoſe Rebels on the Hill before *Shaw*, (which was the Earl of *Mancheſter*'s Army, and *London* Trained-Bands) came down the Hill, to paſs over that part of the River *Kennet* which runs betwixt the Hill and *Newbery*; theſe Rebels paſſed the River Eaſtward, and therefore undiſcerned of ſome of his Majeſties Foot, who kept a Paſs at a Mile Weſtward of the place where theſe Rebels paſſed over (it being

ing then not full break of Day) the Rebels got over, and then advanced with much Confidence upon thoſe few Foot at the Paſs, who being on a ſudden over-preſſed with multitudes, gave the Rebels way, till that gallant Gentleman Sir *Bernard Aſteley* (Son to the Lord *Aſteley*) came up with four hundred muſqueteers, and he fell on with ſuch Judgment and Courage that he totally routed all thoſe eleven hundred Rebels; While Sir *Bernard* was upon the Execution of theſe Rebels, two other Bodies haſted over the River to ſecond the firſt; but the brave Knight ſo followed his blow, that he made the firſt Rebels rout their ſeconds, who all ran through the River in ſuch Diſtraction and Confuſion, that abundance of them were drowned, beſides thoſe ſlain, (whereof their Commander in Chief was one) very many taken Priſoners, two hundred Arms gathered up, with great ſtore of good Pillage, Trained-Band Buff, (for many of theſe were *Londoners*) ſo that when the Rebels reckon how many were killed in this Fight at *Newbery*, they ſay nothing of ſuch as were drowned, which is no fair Account for the Citizens of *London*, who ought to have it according to their Weekly Bills of Mortality, which would tell how many *Londoners* were Shot to Death —— Drowned —— Bruiſed —— Starved —— as well within the Quarters as without; and this the poor *London*-Widows might fairly expect. The reſt of theſe Rebels who eſcaped over the Bridge, fled in great diſorder up the Hill to their main Body (the Earl of *Mancheſter*'s Army) under Protection of their Cannon. 20 *Caroli.*

While this Action was at the Mill, the reſt of the Rebels Army, (conſiſting of the Earl of *Eſſex*'s Remnant, the whole Forces of Sir *William Waller*, with part of the Earl of *Mancheſter*'s Horſe) purſued their Deſign in Surrounding his Majeſty towards *Spine*, and about three of the Clock in the Afternoon four thouſand of the Rebels Horſe and Dragoons, with five hundred Pykes and ſome Cannon, appeared upon the Weſt-ſide of *Newbery*, where the *Corniſh* Foot and the Duke of *York*'s Regiment (Commanded by Sir *William St. Leager*) were ſettled with five ſmall Field-Pieces, and a Brigade of Prince *Maurice*'s *Corniſh*-Horſe. The *Corniſh* Horſe charged very gallantly, and got ground, till exceedingly over-preſſed by multitudes, they were driven back, which ſome affirm to be the reaſon why the Foot retreated to the Eaſt-ſide of *Spine*, which place they made good 'till the Rebels left the Field: But thoſe Guards were ſpread ſo thin there, and ſo many thouſands of the Rebels preſſing on their advantage, they there gained the five ſmall Paſſes which they haſtily drew off. The Rebels main Body of Horſe advanced with a Body of five hundred Horſe (whereof the Earl of *Eſſex* his Life guard were part) and a ſufficient ſtrength of muſqueteers betwixt *Newbery* and *Spine*, where the King's Life-guards and Sir *Humphry Bennet*'s Brigade were drawn up: Major *Legg* was ſent with a Party of Horſe towards theſe Rebels, who finding himſelf overpowered, made a handſome and orderly retreat, whereupon the Rebels advanced with Muſqueteers on their right hand towards the River, there being three ſmall Incloſures betwixt Colonel *Bennet* and the Rebels, which cauſed him to wheel off, for the better advantage to Charge them; and this in the Rebels printed Relation is called Routing Colonel *Bennet*'s Regiment, but upon moſt piteous ſlender reaſon; for though when the Colonel wheeled off, the Rebels came on, yet having attained the ground he aimed at, and his own Regiment drawn up, he roundly Charged the Re-

An. 1644. bels, (the reſt of his Brigade being not then ready) and was ſo bravely ſeconded by the moſt Valiant the Lord *Bernard Stuart*, (Brother to the Duke of *Richmond* and *Lenox*) who fell upon their Flank, that thoſe Rebels both Horſe and Foot were totally routed, the Execution followed above half a mile, which made the Rebels drop plentifully, among whom one was he that Commanded the Earl of *Eſſex* his Life-guard, (ſuppoſed to be Mr. *Charles Doyley*) whom Sir *Humphry Bennet* ſhot dead in the place; divers others of their Officers were ſlain, and their Muſqueteers which advanced with their Horſe, were almoſt all to a Man cut off, though on his Majeſties part beſides Captain *Catlyn* of Sir *Edward VValgrave*'s Regiment, and two or three Common-Troopers, not a Man fell; Captain *VValgrave* (Sir *Edvard*'s Son) received ſeveral Wounds, but not any dangerous: The Rebels after this advanced to that ground again.

Thus the Rebels were repulſed on the Weſt-ſide of *Spine*, but thoſe other on the Eaſt-ſide were more confident of Succeſs, who having ſettled three Bodies of Foot in certain Incloſures and Ditches, advanced over a Ditch, with a good Body of Horſe, hoping thereby to break in through his Majeſties guards; but this was as ſoon diſcerned and prevented by General *Goring*, who inſtantly drew up the Earl of *Cleaveland*'s Brigade, put himſelf in the Head of it, together with the Valiant Earl himſelf and the other Colonels of his Brigade. Colonel *Thornhill*, Colonel *Hamilton*, Colonel *Culpeper*, and Colonel *Stuart*. The General told them they muſt now Charge home, and thereupon ſuddenly advanced up to the gap, where about fourſcore of the Rebels were already come over, the reſt haſtning after. Theſe he ſoon fell upon, and forced them back again in much Confuſion: As ſoon as he had got part of the Brigade over the Ditch, he haſted to Order them as faſt as they came over, but the eager Rebels would not grant him ſo much leiſure, and therefore a new Body came to ſecond the former, whom the general received with thoſe Horſe he had already over the Ditch, and then Charged ſo home, that he made them quickly ſcatter and ſhift for themſelves, many whereof were killed in the place, others ſo wounded as not able to flye, among whom was Major *Urrey*, Colonel *Urrey*'s Nephew, who was mortally hurt in the Head by Captain *Elliſes*, of Colonel *Cornhill*'s Regiment, whoſe Priſoner *Urrey* was, though he dyed within an Hour after he was taken: In this Charge the moſt Valiant Earl of *Cleaveland* engaged his Perſon among the thickeſt of the Rebels, where his Horſe was ſhot under him, which gave the Rebels opportunity to take him Priſoner, and this you may read at large in all their Pamphlets; but 'twere handſome they would forbear Triumphs, when they kill or take Noble-men, 'till ſome of theirs come within Cannon-ſhot; for ſince the Lord *Brooks* was found peeping out at a Caſement, we confeſs we have not met with one Right Honourable Rebel (and we heard their prime Chirurgion ſay, that the beſt Men he ever had in Cure were Mr. *John Hampden* and a Lieutenant Colonel; for as they have few Lords to loſe, ſo thoſe they have know the Guilt of their Cauſe, and never engage their Lives in it) except the Honourable Mr. *Nathaniel* and Mr. *John Fiennes*; nay, this we can ſay further, that ſince the beginning of this Rebellion, no *Engliſh* Lord or Gentleman ever deſerted his Majeſty that had fought for him; for though ſome that went off were active to raiſe Regiments for his Majeſty, and do other good Services, yet not any of them, except one only, ever

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ſtruck blow for him with their own Hands. The General of his Majeſties Horſe did ſo exceedingly gallantly in this Charge, that the Rebels in their Letter from *Newberry* to Mr. *William Lenthall*, printed ſince by ſpecial Order in their Houſe, ſay, they wonder how General *Goring* eſcaped; but then they add, that his Brother, Mr. *Charles Goring* paid his Account, being ſhot dead as he Charged, which though 'tis atteſted under the Hands of *Martin Pindar*, *Thomas Ferbert*, *John Peckman* and *Stephen White*, who writ the Letter, is a Truth fit to be Voted; for General *Goring*'s Brother is ready for another Charge when the Rebels next appear. This Charge was the more gallant, becauſe this Brigade of Horſe not only went over the Ditch to meet the Rebels, but paſſed by three Bodies of the Rebels Foot, who were placed in the Ditches and Incloſures; two of which Bodies ſhot at his Majeſties Horſe both as they purſued the Rebels, and as they came back. 20 *Caroli.*

In the mean time the Earl of *Mancheſter*'s Army plyed their Work upon the North-Eaſt of *Newberry* near *Shaw*, about four of the Clock they came down the Hill before *Shaw*, advancing towards thoſe Guards which the Lord *Aſtley* diſpoſed under the Command of Colonel *George Liſle*; the Colonel appointed Lieutenant Colonel *Richard Page* to keep Mr. *Doleman*'s Houſe and Garden, and Sir *Thomas Hooper* with his Dragoons and other Foot, to keep the Hedges and Lane, Colonel *Thelwall* with his own Regiment, and others of the *Reading* Brigade being for a reſerve. The Rebels, to the Number of twelve hundred Horſe and three thouſand Foot, of the Earl of *Mancheſter*'s and *London* Trained-Bands, came ſinging Pſalms down the Hill, and advanced haſtily upon Colonel *Liply*'s Guards: At firſt they fell on a Hedge where forty muſqueteers were placed, theſe muſqueteers were eaſily over-powered by the Rebels, who upon their quiting the Hedge gave a great ſhout; but then that Valiant Gentleman Sir *John Brown* advanced with Prince *Charles* his Regiment of Horſe, Charged their Foot, and did very good Execution, and after received a Charge of a thouſand Horſe, whereupon he retreated by Order to thoſe Foot in the Garden, who flanked that Field, and kill'd many of the Rebels; this forced the Rebels Horſe to face about, which Sir *John Brown* no ſooner obſerved, but he advanced again, and cut off very many of their Rear of Horſe, and bravely kept the ground all day. At the ſame time when Sir *John Brown* Charged with Horſe, the reſerve of Foot came on, which was three hundred of Colonel *Liſle*'s Tertia, Commanded by that Experienced Souldier Colonel *Twelwall*, whereunto were joyned thoſe muſqueteers in the Lane, and thoſe other forty which were driven from the Hedge; and this Body of Foot came up ſo Couragiouſly, and gave ſuch excellent Fire, that the Rebels had ſmall Comfort in their new gotten Hedge, ſhot flew extream thick on both ſides, but theſe gallant muſqueteers were reſolved to win all or dye in the place, and therefore after they had ſufficiently gauled the Rebels with ſeveral brave Volleys, they fell on with the Butt-ends of their muſquets, and beat the Rebels not only back from the Hedge, but quite out of that Field; then his Majeſties Forces gave a good loud ſhout, the Rebels running off in great Confuſion, leaving both their Colours and Cannon behind them, which were not ſo haſtily hurryed away as thoſe Drakes the Rebels took at *Spine*. In the mean while another great Body of the Rebels Foot fell upon thoſe in Mr. *Doleman*'s Houſe and Garden; upon their approach a notable fine Officer

An. 1644. Officer of the Rebels came daringly up, and Commanded thoſe in the Houſe and Garden not to ſhoot; Lieutenant Colonel *Page* bid his Men give Fire upon him, who inſtantly ſhot this fine Rebel in the Belly, ſo as he never gave more Orders; which done, they poured out ſhot ſo faſt upon the Rebels whole Body, that they began to run; his Majeſties Forces purſued with exceeding great Execution, which was the greater, becauſe the Rebels race was up the Hill; then his Majeſties Souldiers ſhouted again, for the Rebels never gave ſhout but once, and were now ſo far from it, that they left here five hundred of their Brethren dead within a ſmall compaſs of ground, where his Majeſties Souldiers had much and good Pillage, divers Priſoners and ſome Colours, and then they drew off thoſe two Pieces of Cannon, which they took from the Rebels.

About half an hour after, a Body of the Rebels Horſe came down to have fetcht off their Cannon, but the muſqueteers gave fire into their Body, and made them return without their Errand, to their other Cannon upon the Hill, for theſe were paſt recovery. In this laſt Charge, Lieutenant Colonel *Page*, one of as much Modeſty and Courage as any man alive, was ſhot through both his Thighs, beſides a ſhot through his Arm, of all which we hear he is like to recover, this being not the firſt time he received three Wounds in one day: Indeed none could do more gallantly than he did in that place which Colonel *Liſle* put under his Command: As for the Colonel himſelf, we profeſs it troubles us we want Language to expreſs his Carriage, for he did all things with ſo much judgment, chearfulneſs and preſent diſpatch, as had ſpecial Influence on every Common Souldier, taking particular Care of all except himſelf: The truth is, he gave the Rebels three moſt gallant Charges: In the firſt his Field-word was, *For the Crown*, and then he beat them back, and knocked them down both with Bullet and muſquet-ſhot; in the ſecond his Word was, *For Prince Charles*, and then he cut them off as they came on, and hewed them down ſufficiently as they ran away; in the third it was, *For the Duke of York*, and then he flaſht them ſo home, that they troubled him no more; for had they come again, he reſolved to have gone over all the King's Children, 'till he had not left one Rebel to fight againſt the Crown or the Royal Progeny; in which Service the Colonel had no Armour on beſides Courage and a good Cauſe, and a good Holland-ſhirt; for as he ſeldom wears defenſive Arms, ſo now he put off his Buff-doublet, perhaps to animate his Men, that the meaneſt Souldier might ſee himſelf better armed than his Collonel, or becauſe it was dark they might better diſcern him from whom they were to receive both Direction and Courage: However it gave occaſion to a *Londoner* this Week in print to ſay, The *Iriſh* Papiſts in the King's Army at *Newbery* had divers Witches among them, which many of Colonel *Cromwell*'s Souldiers did plainly perceive to fly ſwiftly from one ſide of the King's Army to another; which hath thus much Truth in it, that this Spirit-Ghoſt (call it what they pleaſe) frighted all theſe guilty Rebels quite out of the Field, and made them run for Protection to their Cannon and main Body, which got away to the Hill, where they Quartered above a Mile from the place of fight, leaving the whole Pillage of the Field to his Majeſties Souldiers, without ſhooting one muſquet to diſturb them; the Pillage was very much and very good, conſidering who are commonly the Rebels Commanders, but Arms both offenſive and defenſive in great abun-

abundance; the exact Number of the Slain is not certainly known, for very many of the Rebels dyed that Night and the next morning after the Battel was ended. Of his Majesties Army there fell Sir *Anthony Leager*, Lieutenant Colonel *Leak*, Colonel *Topping*, who all fought as became Valiant Loyal Gentlemen; besides these, we hear of none of Note, and few, not above sixty of Common Souldiers, some eminent Persons were wounded, especially those two gallant Knights, Sir *John Greenvile* (Sir *Bevil*'s Son, and Sir *Richard*'s Nephew) and Sir *John Campfield*, who so bravely Commanded the Queens Regiment, Major *Alford* a Couragious good Commander was shot in the Thigh; but (above all) the most Noble Valiant Lord General, the Earl of *Brainford*, received a hurt on his Head, but nothing at all dangerous; and we hear their General (the Earl of *Essex*) is now in the Chirurgeons Hands, but we beseech you expect not we should give you an Account what Men of Eminency fell on their side, though such as they were (whether Officers or but Common Souldiers we cannot well affirm) lay in heaps upon the Earth above a dozen Rebels for one Loyal Subject: The Fight lasted from four a Clock in the Afternoon 'till eight at Night; and in regard very many of his Majesties Horse were absent (Mr. *Lenthall*'s Letter confesseth four thousand) his Majesties Army marched to *Wallingford* through the Rebels Army, they not so much as giving an Alarum on the Rear; Sir *Humphrey Benner*'s Brigade of Horse was left to bring up the Rear of the Army, which stayed upon the place 'till midnight, saw all clear before them, and for more security left a hundred Horse to discover the Rebels intention, and that Party came not from the Field 'till break of day on *Munday* morning, and then followed the Army, which marched to *Wallingford* in good Order over the Plains, the well beaten Rebels not daring any further. —— Thus *Aulicus*.

20 *Caroli*

The Parliaments Forces after the Battel sent several Summons to *Dennington-Castle*, but Sir *John Boys* the Governour rejected them with scorn. They continued at *Newberry* 'till *Saturday*, *Novemb.* 2. and then marched towards *Oxford* (where his Majesty was recruiting his Army) and that Night the Head Quarter was at *Compton*. On *Sunday* the 3*d.* they marched towards *Blewbery*, and the Head-Quarter was at *Harwell*: But then a Council of War being held, it was thought impossible to march with their Carriages beyond *Abbington*, because the wayes were deep and unpassable: And so on *Tuesday*, *Novemb.* 5. all the Horse being rendezvouz'd on *Chilton-Plain*; Orders were given to march back the next day to *Newberry*, which was done accordingly, *November* the 6*th.* and the same Night some of the King's Forces advanced from *Wallingford* into the same Quarters whence they were removed. On *Thursday* they at *Newberry* received Advice from their Scouts that the King's whole Army with the Accession of Prince *Rupert*, the Earl of *Northampton*'s Brigade, and what Forces could be spared out of several Garrisons, was come over the River with a purpose to relieve *Dennington-Castle*, and fetch away his Ordnance and Carriages, which he had therein secured after the late Battel, which advice it seems they did not believe; but on *Fryday*, *Novemb.* the 8*th.* they had unquestionable Intelligence that they were within five or six miles, whereupon Orders were given by the Parliaments Commanders, for all their Horse to

The Parliaments Armies Marches after this second *Newbery* Fight.

An. 1644. to rendezvouz early next morning; and ſome of the Commanders in chief went out and view'd the ground, where it might be moſt convenient to oppoſe his Majeſties Paſſage: But the next morning before their Troops were got together, his Majeſty had not only relieved the Caſtle, and taken out his Train, but placed his whole Army in Battalia, in the Field betwixt *Dennington-Caſtle* and *Newberry*; and a Party of his Horſe fell on a Party of the Enemies, and routed them, and purſued them to their Foot; but being there fiercely Charged, were forced to retire back to their main Body; after which, and ſome other Skirmiſhes, his Majeſty drew out of the Field to the other ſide the Caſtle. Next morning the Parliaments Forces were all drawn up, Horſe and Foot, and a Battel was expected; but when their Commanders had Viewed the Strength and Poſture of his Majeſties Army, they at a *Council of War* judged it unſafe to engage: And ſo the King marched leiſurely away towards *Wallingford*. All this while the Earl of *Eſſex* was not preſent with the Army, but *Skippon* gave him the following Account of this Action.

Major General *Skippon's* LETTER to the Earl of *Eſſex*.

May it pleaſe your Excellency,

A Letter from Major General *Skippon* to Eſſex, touching the Relieving of *Dennington-Caſtle*, *Nov.* the 10th.

WHat through our too late Intelligence and other intervening Accidents, the King's Army yeſterday relieved Denington-Caſtle, *and drew out his Carriages thence, e're our Forces could be gotten together to the place viewed by ſome of Us the day before, as fitteſt to interpoſe between the Caſtle and their coming. In the Afternoon he drew down his Horſe, Foot and Cannon upon us, who conceived it moſt convenient to ſtand upon our own defence, with all our Foot and Cannon, within thoſe ſorry Works which we had caſt up but the ſame day, the rather becauſe our Horſe held their Rendezvouz upon* Newberry-waſh, *on the other ſide of the Town; and being to march through the Town before they could come on that ſide where our Foot were engaged. The Enemy after he had placed two great and two ſmall Pieces of Cannon, charged us with great Reſolution both with Horſe and Foot, and were moſt boldly reſiſted and repulſed, ſo that but once and at one place they came on, where and when being ſoundly pelted, eſpecially by the muſqueteers of your Excellencies Regiment, they ſoon recoyled, and being ſet further off by a Forlorn Hope of muſqueteers, Commanded by Captain* Horſey, *drew off their Cannon, and betook themſelves to an* Orderly Retreat, *which could not be interrupted as was wiſhed, becauſe e're Night came, the Horſe were hardly enough come over to us: All the Foot ſtood their ground very orderly and reſolvedly, expecting the Enemies charging them on all ſides, as they threatned by their drawing up. This day the King's Army marched leaſurely and Souldier-like from the further ſides of the Caſtle, whither they retreated laſt Night* Wantage-way; *'tis ſaid, to have drawn us out of our ſtrengths, and that he might the rather thereby have had advantage (we being neceſſitated to march ſomewhat about to come at him, becauſe of the Caſtle) to have got into* Newbery *behind us, and ſo to have had the freer way to* Baſing, *or to have forced us to fight with him upon great diſadvantage, he having the liberty to chooſe his own ground; whereupon it was reſolved we ſhould march back to* Newbery, *where all our Foot-*

20 *Caroli.*

Foot-Forces lye miſerably peſtered; and truly (my moſt Noble Lord) *if there be not ſome ſpeedy Courſe taken for ſettling them in ſome freſh Quarters, where they may be encouraged, recollected and recruited, I very much fear that all the Armies will be very much weakened and prejudiced, eſpecially that under your Excellencies Command; for Sir* William Balfour *ſayes, all your Excellencies Horſe are not above eight hundred, and Colonel* Barclay *(who Calculated their Numbers in the Field this day) ſaid, that the Foot (I mean your Excellencies) were not above twelve hundred, and this I humbly preſume in Duty to acquaint your Excellency with, that if it might ſtand with the Publick Service, your Excellency would pleaſe (who I know is moſt ſenſible of our Condition) to uſe the beſt means your Excellency ſhall think moſt meet, that we might ſeaſonably have a good Winter-Quarter at* Reading, *(if it might be.) being the moſt likely place to get them together in. I humbly begg Pardon for my great boldneſs, and beſeech the Lord to watch over your Excellency for good: I ever remain*

Your Excellencies

Newbery, *Nov.* 10. *Eleven at Night.*

moſt Humble and Faithful Servant,

PH. SKIPPON.

The Earl in Anſwer to this Letter having expreſſed ſome Reſentments touching the Miſcarriage of this Affair, *Skippon* two dayes after wrote him the Letter following.

Another LETTER from Major General *Skippon* to the Earl of *Eſſex.*

May it pleaſe your Excellency,

YOur Excellencies Letter to Sir William Balfour *and my ſelf, came to our Hands this day; my humble Anſwer thereunto is this, that what I preſumed to write to your Excellency on* Sunday *Night laſt, was in part a Declaration of our Proceedings againſt the Enemy the day before, as alſo Expreſſions of ſomewhat concerning the Enemies relieving* Dennington-Caſtle, *which I ſhall not need to mention again, to which I preſume to add this only, that I believe there hath been a great miſinformation concerning the Enemies Number, as alſo their Horſe driving up their Foot; And for the Armies not drawing out to meet them, the certain Intelligence of the Enemies Army being on this ſide* Wallingford *came to us ſo late the Night before they relieved the Caſtle, which was the next day in the morning, that it was impoſſible (our Horſe lying ſo far quartered up and down from us) to prepoſſeſs the foreviewed ground for interpoſing between the Enemy and the Caſtle, without too manifeſt hazard of thoſe that had been firſt upon the place without the other, if time would have ſuffered any part to have gotten thither before the Enemies whole Body was there. That diſhonourable Opinions and Cenſures fall upon Us for this, they*

An. 1644.

must be endured though undeserved by us; and yet I hope they will be somewhat taken off by the Account that Sir Arthur Haslerig, *(who comes to that end) will give thereof. Might I in modesty say it, and be believed, (without the least thought of disparaging any other) that I have not failed through God's assistance in the discharge of my Duty, I dare appeal to all: And this I trust will satisfie your Excellency for that. For the rest of the business I most humbly referr your Excellency to my last Letter, and my self to your Excellencies Favour, which I so highly esteem. I remain*

Your Excellencies

Newbery, *Nov.* 12. 1644. *Eleven at Night.*

most Humble

and Faithful Servant,

PH. SKIPPON.

The Seige of *Basing-House* raised, and both Armies go to their Winter Quarters.

Soon after this, the King resolved to Relieve *Basing*, and to oppose him therein, the Parliaments Forces drew from *Newberry* that way; but those before *Basing-House* raised the Seige of their own accord, and nothing of moment happened between the two Armies, but both retreated to their Winter-Quarters, the King's to *Oxford*, *Marlborough*, *Basing*, *Odiam*, *Newbery*, *Blewbery*, &c. The Parliaments at *Reading*, *Henley*, *Abbington*, *Farnham*, &c.

The Parliament were much dissatisfied at this Business of *Dennington-Castle*, and Ordered the whole Management thereof to be enquired into; and particularly Lieutenant General *Cromwell* exhibited a Charge against the Earl of *Manchester*, to this effect:

The substance of a Charge exhibited by *Cromwell* against the E. of *Manchester*.

"That the said Earl hath alwayes been indisposed and backward "to Engagements, and against the ending of the War by the Sword; "and for such a Peace to which a Victory would be a disadvan- "tage, and hath declared this by Principles expres to that pur- "pose, and a continued Series of Carriage and Actions answerable. "And since the taking of *York* (as if the Parliament had now Ad- "vantage full enough) he hath declined whatever tended to fur- "ther Advantage upon the Enemy, neglected and studiously shift- "ed off opportunities to that purpose, (as if he thought the King "too low, and the Parliament too high) especially at *Dennington-* "*Castle*. That he hath drawn the Army unto, and detained them "in such a Posture, as to give the Enemy fresh Advantages, and "this before his Conjunctions with the other Armies, by his own "absolute Will, against or without his Council of War, against ma- "ny Commands from the Committee of both Kingdoms, and with "Contempt and vilifying those Commands. And since the Con- "junction, sometimes against the Councils of War, and sometimes "perswading and deluding the Council to neglect one Opportunity "with pretence of another, and that again of a third, and at last by "perswading that it was not fit to fight at all.

On the other side the Earl for his own Vindication gave in the following Paper to the House of Peers.

The

20 *Caroli.*

The Earl of Mancheſter's *NARRATIVE.*

The Earl of *Mancheſter's* Narrative to the Houſe of Peers.

My Lords,

"THE Truſts with which the Parliament of *England* have Ho-
"noured me, are of ſo great Concernment to the Publick, as
"I ſhould be failing in the higheſt meaſure to your Lordſhips and
"my ſelf as a Servant employed by you, if I ſhould not be ſenſi-
"ble of thoſe Aſperſions which Common Fame brings to my Ears,
"ſo as to endeavour to clear my ſelf from that ignominious Brand
"of Unfaithfulneſs towards the Parliament, who have thought me
"worthy of their Favour and their Truſt: Therefore I look upon
"this Command of your Lordſhips to give you an Account of my
"late Actions, not only as an addition to your former Favours, but
"as an advantage equivalent to my Life, for which I humbly offer
"your Lordſhips my acknowledgments as your Servant.

My Lords,

"I ſhall not Plead my Abilities to ſerve you; I ſhall only juſtifie
"my Integrity in yonr Service, which if any ſhall contradict, if
"they be ſuch as have either known me, or ſeen my Actions, when
"they ſhall queſtion with their own Hearts, I doubt not but they
"will there find ſuch reſults as will give them occaſion to ask me
"Pardon for the Injury they have done me.

My Lords,

"That which I hear gives the greateſt diſſatisfaction to the World
"in my particular, is the Kings relieving *Dennington-Caſtle*, and the
"Armies not engaging with him; to this I ſhall make a Profeſſion
"in general, that from the time I came to joyn with my Lord Ge-
"neral's Army, I never did any thing without joynt Conſent of
"thoſe that were the beſt Experienced and chiefeſt Commanders in
"all the Armies; and herein I ſhall appeal to thoſe who were ſent
"down from the Committee of both Kingdoms, whether upon
"all Debates my Expreſſions were not theſe, I cannot pretend to
"have any Experience in this way, therefore what you ſhall reſolve,
"I ſhall obſerve; and I am confident that both they and all the
"Commanders of the Army will juſtifie my Practice made good my
"Profeſſions.

My Lords,

"At our firſt drawing up of our Armies towards *Newbery*, when
"the King lay there ſecured in his Quarters, it was reſolved, that
"our Armies ſhould be divided, that my Lord General's Foot and
"the City Brigade, with the moſt of all the Horſe, ſhould march
"to the Weſt-ſide of *Newbery*, and that the Foot under my Com-
"mand with ſome Horſe, ſhould remain on the Eaſt-ſide, and that
"as ſoon as I ſhould by ſome Warning-pieces ſee that they were
"engaged, that then I ſhould make my Engagement for a Diverſi-
"on: This Command was obeyed by me, and it pleaſed God through
"the Valour of my Lord General's Foot and ſome Horſe, we had a
"very happy ſucceſs of that Service; but where thoſe Horſes were

An. 1644.

"that Lieutenant General *Cromwell* Commanded, I have as yet had "no certain Account. After this (to omit our marching from *New-* "*bery* towards *Abington*, and returns thither again, all which was "by the Advice and Conſent of the Council of War) the King ha- "ving gathered all his Forces together, draws them down towards "*Wallingford*, and our conſtant Intelligence gave us, that he in- "tended the Relief of *Dennington-Caſtle*; wherefore upon the *Thurſ-* "*day* my Intelligence being Confirmed, I ſent unto Major General "*Skippon*, to Conſult what was fitteſt to be done. We both reſolv- "ed, that in regard all our Horſe were quartered ſo far from us, it "was neceſſary to call them to a Rendezvouz the next day, that ſo "they might be nearer to us, and readier for any preſent Service: "Hereupon Major General *Skippon* and my ſelf writ to Sir *William* "*Balfour*, that he would pleaſe to Command my Lord General's "Horſe to a Rendezvouz the next day, which he accordingly did. "I ſent likewiſe unto Lieutenant General *Cromwell* to give the like "Orders to my Horſe, but he came unto me, and in a diſcontented "manner expreſſed himſelf, asking me whether I intended to flea "my Horſe, for if I called them to a Rendezvouz, I might have "*their Skins*, but *no Service from them*: I told him my Opinion was, "that it was abſolutely neceſſary, for if it were not done, I doubt- "ed if we ſhould have them preſent when we had moſt uſe of "them; yet he perſiſting in his diſlike of it, I told him he might "do as he pleaſed. Upon the *Fryday* in the Evening we had certain "Notice by a Lieutenant that came from the Enemy, that the King's "whole Army was within five or ſix Miles: Hereupon we preſent- "ly ſent to Command all the Horſe to be at Rendezvouz upon *New* "*bery-waſh* by ſix of the Clock in the morning, intending to draw "out to fight with the King: In order to which the ground was "Viewed by the Chief Field-Officers, but on *Saturday*-morning the "King had gained his Paſſage to *Dennington-Caſtle* before any great "Body of our Horſe came up, ſo as it was reſolved by all the Offi- "cers in chief, that it was fitteſt for us to ſtand upon our Defence, "and to keep the Town of *Newbery*. About two of the Clock in "the Afternoon the King Charged us with Horſe and Foot near to "the Works which we had made, but received a very happy re- "pulſe by our Foot; as yet there were only ſome of my Lord General's "Horſe, and ſome of Sir *William Waller*'s came on that ſide the Ri- "ver that the Enemy was. Lieutenant General *Cromwell* had not "brought over any Horſe, notwithſtanding I had deſired him that "all of them might be drawn over on that ſide the River, where the "preſent Service was: After ſome few hours that the Enemy had "ſtood facing us, and that the Evening drew nigh, the Enemy "through the Favour of the duskiſhneſs of the Evening made his "Retreat, and about this time my Horſe were coming into the Field, "whereupon we all agreed that all the Horſe ſhould keep the Field "that Night, and the Foot to make good their Poſts as they had "maintained them the day before, intending to draw out the next "morning to attempt ſomething upon the Enemy. In the Night "we heard that the Enemy was marched away, whereupon Order "was given by a general Conſent, that the Horſe ſhould follow "him by break of day; but in the morning certain Intelligence was "brought us, that the Enemies whole Army was in a Body with- "in three miles of us, whereupon divers of us went to ſee whether "it were true. And after we had rode about a mile to the top

of

20 *Caroli.*

" of a Hill, we ſaw the Enemies whole Army marching in an or-
" derly Retreat. This gave Occaſion to us all to conſider what was
" fitteſt to be done, and moſt of the Commanders in the Army were
" called together, and there by a general Conſent it was agreed
" That it was not ſafe to engage againſt the King at that preſent.
" Many Arguments were given. Sir *Arthur Haſlerigg* uſed ſome Ex-
" preſſions to this effect, That we run a greater hazard than the
" King did, for if we beat him, his Army would not be ruin'd, but
" he being King ſtill, and retreating to his Garriſons, he would re-
" cruit his Army, it being now the Winter ſeaſon; but if he had
" the better of us, our whole Forces would be ruined, and the King-
" dom in extream hazard, having no conſiderable reſerve on this
" ſide *Newcaſtle*, ſo that the Enemy might without any oppoſition
" march up to the very Walls of *London*. And after ſome others
" had delivered their Opinions againſt Fighting, this Opinion of Sir
" *Arthur Haſlerigg*'s was ſeconded by me, and there was not one
" preſent that delivered his Opinion for fighting with the King at that
" time; and I conceive it was as far from our Intentions (as it was
" impertinent for the preſent purpoſe) to urge any of theſe Argu-
" ments as to the final reſult of the War; in the active and ſpee-
" dy Proſecution whereof, as I have often, ſo I ſhall ſtill be willing
" upon all Occaſions to hazard not only my ſelf, but all that is dear
" unto me; but it was urged as not expedient to fight at that time,
" conſidering our preſent Poſture, and by a general Conſent it was
" thought fit to march back to *Newbery*. When we had been ſome
" dayes at *Newbery*, we heard that the King intended to ſend a ſtrong
" Party to releive *Baſing*, therefore the Council of War reſolved, that
" the beſt way to prevent any ſuch Deſign, was to Order all the
" Horſe of the Armies to keep guards there by turns, and though
" when the third Night came, that my Horſe were to keep the guards,
" Lieutenant General *Cromwell* expreſſed an unwillingneſs to have any
" Horſe to go to the Guards, yet I commanded that there ſhould be
" no delay in it, and accordingly it was done. As for the ſeveral
" Motions of the Armies, and the drawing into thoſe Quarters, where
" they now are, it was Ordered by the general Vote of the Council of
" War, not one diſſenting: And I think I may with Confidence affirm,
" that there was ſuch an Unanimity amongſt us, as none acted any
" thing which was of Publick Concernment, apart from the reſt.
" As to that which may relate to me, I am fully perſwaded that the
" Commanders in Chief will give me this Teſtimony, that I never
" concluded any thing without their Advice: And I muſt acknow-
" ledge that Lieutenant General *Cromwell* was ſenſible of a Contradi-
" ction in this particular, as when there was but an Information of
" ſuch a Report caſt out at *London*, that I had acted without the Ad-
" vice of the Council of War, he profeſſed that he was a Villain and
" a Lyar that ſhould affirm any ſuch thing. That which I did with-
" out Conſulting with the Commanders of the other Armies, was
" only ſuch things as had a ſpecial reſpect to my own Forces, to keep
" them from mutinous Actions that they might be ready to commit,
" in regard of their great Neceſſities and Sufferings, and of ſeveral
" intimations which were given them that I was the only Cauſe of
" keeping them there, and that Lieutenant General *Cromwell* was willing
" and deſirous to have them return to their Aſſociation: In this I
" confeſs I acted my own Power, to cauſe them to give Obedience
" to that which I had received Orders for from the Committee of
" both

An. 1644.

"both Kingdoms, though I ſhall ever ſhew as much readineſs to "ſerve for the ſecurity of the Aſſociation, that have honoured me "with their Favour, as any other ſhall do.

My Lords,

"I hear further of a diſſatisfaction which is of an older date, ever "ſince my being at *Lincoln*, that when I received Command from "the Committee of both Kingdoms to march into the *Weſt*, my "backwardneſs was ſuch, as I gave ſharp Reproofs to thoſe that "mentioned it unto me: I cannot but wonder at ſuch a Calumny, "Lieutenant General *Cromwell* can Witneſs for me, that as ſoon as I "received the Letters from the Committee, I conſulted with him, "and gave him Orders that twenty Troops of Horſe ſhould be got "ready, and that he ſhould go with them before me, and I would "follow with the reſt of the Horſe and all the Foot with what poſſi-"ble ſpeed I could: It is true that Lieutenant General *Cromwell* made "ſome difficulties in regard of the Neceſſities that his Regiment of "Horſe were in, which I told him I would endeavour to ſupply at "*Huntington*, and that I would ſend to *London* to make Proviſion of "Boots and of other things which he wanted, and ſend them to meet "him at *Reading*, and I made good my Promiſe, as many can bear "me Witneſs. Certainly not only my Relation to my Lord Gene-"ral, to whom I owe both Honour and Service, but the Publick "Intereſt, might juſtly Challenge from me a ready Obedience to this "Service.

My Lords,

"Some Diſcontents which then brake forth in my Army, was the "Cauſe of retarding that Service: What thoſe Diſcontents were, "and the grounds of them, I dare not ſo far digreſs without your "Command, as to offer them unto your Lordſhips.

"I ſhall only now ask your Lordſhips Pardon for the Trouble I "have given you, and ſhall beſeech your Lordſhips to look upon me "as one, who though I cannot ſerve you with Abilities equal to others, "yet in my faithfulneſs to the Cauſe, in my Endeavours for the Hap-"pineſs of the Parliament and Kingdom, and in my Care of your "Lordſhips Honours, ſhall give place to none.

These Heats beget a New Model of the Army.

Theſe Miſcarriages in the Armies, and Conteſts between the Commanders, gave Occaſion for that New Moddel of the Parliaments Forces, whereby not only *Mancheſter* but *Waller* and *Eſſex* alſo were laid aſide, of which we ſhall ſpeak in its proper place.

SECT.

20 *Caroli*

SECT. IV.

Smaller Matters relating to Military Actions, *Anno* 1644.

Of the Fight near Montgomery-Caſtle.
Sir W. Fairfax *ſlain.*
Of the Taking of Liverpool *by the Parliament.*
Several Exploits by Maſſy *and the Earl of* Denbigh.

The Author deſcends to ſome ſmaller and particular Atchievements of War, *Anno* 1644.

BUt beſides theſe great *Maſter-wheels* of *Military Action* in the *North* and *Weſt*, whoſe *Motions* we have daily traced, there were ſeveral *other* Warlike Occurrences in divers Parts, performed by ſmaller Parties which fall not within either of thoſe Circles, but like Eccentrick Courſes of the Planets, muſt be deſcribed in Epicycles of their own; amongſt which the Exploits between Colonel *Maſſey* Governour of *Gloceſter*, and ſeveral of the King's Troops, are not to be omitted.

A brief Account of the Exploits wherein Col. *Maſſey* was concern'd.

About the 1*ſt.* of *April*, 1644. Colonel *Pureſoy* with his Regiment of Horſe was by the Committee of both Kingdoms Ordered to march to *Gloceſter*, with whom *Maſſey* being joyned, they made an Incurſion into *Herefordſhire*, took up Quarters at *Ledbury*, forced that Countrey, and faced *Hereford*: Of all which Prince *Rupert* being advertiz'd, his Highneſs advanc'd to *Eveſham* with a conſiderable ſtrength of Horſe and Dragoons, intending to fall over *Eveſham-Bridge*, and get between *Maſſey* and *Gloceſter*, whilſt Colonel *Min* and Sir *John Winter* held him in play in thoſe Parts, and ſo between them cut him off. But *Maſſey* had Intelligence of the Prince's Advance, drew back with ſpeedy Marches, and got ſafe into *Gloceſter*: But four dayes after, *viz. May* the 7*th.* he march'd forth with Nine hundred muſqueteers, and a hundred Pikes (of the Lord *Stamford*'s, Colonel *Devereux*'s, and his own Regiment) with Colonel *Pureſoy*'s and ſome of his own Horſe, towards the Forreſt-ſide, and fell upon *Weſtbury*, a Garriſon of Sir *John Winter*'s, who held the Church and another ſtrong Houſe adjoining. *Maſſey* obſerving a place not flanked, drew up that way a *Forlorn Hope*, and flinging in Granado's, fired them out of the Church, and then ſoon beat them out of their Works, and took the Houſe, and Captain *Bret*, and about ſixty others Priſoners: In the mean time underſtanding this Garriſon had a Guard at *Little Dean*, he had Commanded a Party of Horſe to give them an Alarm, whilſt he attacqu'd *Weſtbury*: Theſe Horſe found the Guard there ſtraggling in the Town, and upon their approach ſhuffling towards the Houſe where they kept Garriſon, which the Troopers obſerving, alighted and ran together with them into the Houſe, where they took about twenty men. Near to this Guard Lieutenant Colonel *Congrave*, Governour of *Newnham*, and one Captain *Wigmore* with a few private Souldiers were ſurrounded in ſome Houſes by the reſidue of this Par-

Weſtbury taken *May* the 7*th.*

ty

An. 1644.

ty of Horſe, and had accepted Quarter ready to render themſelves, when one of their Company from the Houſe fired and killed a Trooper, which ſo enraged the reſt, that they broke in and put them all to the Sword.

And *Newnham* *May* the 8th.

Next day *Maſſy* marched to *Newnham*, where another Party of Sir *John Winter*'s kept Garriſon in the Church, and the Fort adjoyning of conſiderable ſtrength, but at that inſtant much daunted and diſtracted by the loſs of the ſaid *Congrove* their Governour, ſo that after a ſhort reſiſtance they were overcome, and purſued into the Church, where they cry'd for Quarter, but at that inſtant a Barrel of Gunpowder was blown up in the Church, ſuppoſed to be done by one *Tipper* a Papiſt, Servant to Sir *John Winter*, who deſpaired of his Life, becauſe being formerly a Priſoner, he had broke his Parole. This Powder Blaſt did not blow down the Church, but many of the Souldiers out of it, and ſorely ſinged a great Number, but killed none. *Maſſy*'s Souldiers herewith enraged ſlew near twenty, and amongſt others the ſaid *Tipper*; all the reſt had Quarter for their Lives (ſave one Captain *Butler*, ſaid to be an *Iriſh* Rebel, who was knock'd o'th Head by a Common Souldier:) Here were taken Captain *Henry Malory*, Captain *Michael Morgan*, and Captain *Hetford Blany*, three Lieuteants, four Enſigns, four double Barrels of Powder, ſixty Skains of Match, and four Pieces of Ordnance: And in this Service *Maſſey* loſt not one Man.

Maſſey glad to retreat to *Gloceſter*.

From thence he marched to *Lidney-Houſe*, and ſummon'd it, but durſt not engage it; the rather for that he underſtood Colonel *Myn*, aſſiſted by the Lord *Herbert*'s Forces, and Sir *John Winter* was come as far as *Coford*; wherefore he was forced to retreat with Expedition to *Gloceſter*, in his way firing and deſtroying Sir *John Winter*'s Iron-Mills and Furnaces.

Beverſton-Caſtle in *Wiltſhire* taken by *Maſſey*, *May* the 22th.

Soon after Captain *Oglethorp*, Governour of *Beverſton-Caſtle*, was ſurprized by ſome *Gloceſter* Scouts, in a Private houſe, Courting his Miſtreſs; whereupon *Maſſey* forthwith drew his Forces before that Caſtle, and ſent in a Summons; with which the Lieutenant that then commanded there, ſubmitted, on Conditions that both Officers and Soldiers ſhould leave all their Arms, Ammunition and Baggage, only four Officers had the priviledge to take each his Horſe. The Lieutenant was pleaſed to enquire of *Maſſey*'s Soldiers, whither they intended the next march? expreſſing his doubts of *Malmesbury* (whither they were to be convoy'd,) and fear of being taken the ſecond time: and indeed his Apprehenſions proved Prophetick.

Maſſey takes the Town of *Malmsbury*, *May* the 24th.

For the next day *Maſſey* faced *Malmsbury*, and ſummon'd it for the King and Parliament; but Colonel *Henry Howard*, the Governour, returned Anſwer, That *he kept it for the King and Parliament aſſembled at* Oxford, *and without their Command would never part with it*; and for further Anſwer fired upon them gallantly. *Maſſey*'s Foot got into the Suburbs, and broke their way through the Houſes, till they came almoſt up to the Works, and the only place of entrance into the Town, which is built upon the level of a Rock: *Maſſey* cauſed a *Blind* to be made croſs the ſtreet, to bring up the Ordnance within Carbine ſhot; but in the heat of buſineſs, the fancy of an Allarm ſeized upon his Men, that thoſe in the Town were ſallying out upon them; which was nothing ſo: And yet ſo prevalent was this *Pannick Fear*, that thoſe very Men who at other times would brave it in the face of an Enemy, venture on Breaches, and almoſt to the

An Example of a Pannick Fear.

mouths

mouths of diſcharging Cannons, now were ſmitten with ſuch Diſtraction and Fear, that they all fled when none purſued them, and left their Ordnance deſerted in the open ſtreet. The Garriſon, by reaſon of the *Blind*, perceived not this Advantage, which otherwiſe had proved fatal to the Aſſailants. *Maſſey* had much ado to rally his amazed Soldiers, but at laſt they recovered both their Courage and their Ground. Yet by this means the pretended Aſſault was put off till next Morning; when at break of day, a Forlorn-Hope, ſeconded with a good Reſerve, advanced to the only Paſſage that had no Draw-bridge, but only a *Turnpyke*: To which they came up, and flung in their Granadoes. Thoſe within made many a ſhot at random, but by the diſadvantage of a rainy Night, their Muſquets lying wet on the Works, were little ſerviceable; ſo that *Maſſey*'s Men thronged in, and got Poſſeſſion of the Town. Colonel *Howard* was taken at the Works, making as brave a Reſiſtance as was poſſible, having received three ſeveral ſhots in his Cloaths, yet all miſſed his Body. Upon the firſt entrance, *Maſſey* gave ſtrict Orders that the Town ſhould be preſerved from Plunder; nor would at any time ſuffer his Soldiers to Ranſack any place they took by Storm; giving this Reaſon, *That he could not judge any part of* England *to be an Enemy's Countrey; nor an Engliſh Town capable of Devaſtation by Engliſh Soldiers.* Colonel *Devereux* was left Governour of this Town, and his Regiment quartered there.

20 *Caroli.*

Maſſey's Reaſon againſt Plunder.

On the 5*th.* of *June*, *Maſſey* drew out an hundred and twenty Horſe, thirty Dragoons, and three hundred Foot, intending to fall upon the Town of *Tewxbury*; the Horſe and Dragoons, commanded by Major *Hammond*, march'd ſome few hours before the Foot and Artillery, and were to Allarm the Town till the Foot came up. Theſe Horſe, about a Mile from the Town, made a Hault, and drew out a Forlorn-Hope, imagining they might poſſibly ſurprize the place, if they had not as yet took the Allarm: and firſt three Men were ſent before to eſpy if the Draw-Bridge was down, and ſix more behind went undiſcovered: Next unto theſe marched the Forlorn-Hope, and the Main-Body in the rear: In this poſture they advanced up to the Town; where they found the Bridge down, the Guards ſlender, and the Garriſon without Intelligence: On went the firſt Party, killed the Sentinels, which were only a Pike-man, and a Muſqueteer without Match. Thus the Bridge was gain'd; the Forlorn-Hope ruſhed in, and after them the whole Body of Horſe and Dragoons, and came up to the main Guard before the Allarm was taken; overturned their Ordnance, and charged through the Streets as far as the Bridge, *Worceſter* way; where they took Major *Myn*, the Governour of the Town, whoſe Soldiers flung down their Arms; many eſcaped by flight, and divers taken Priſoners: Colonel *Godfrey* was ſlain the firſt Charge; as alſo Colonel *Vavaſour*, Quarter-Maſter-General, and a Lieutenant, all three *Papiſts*; beſides a Serjeant, with about ſix common Soldiers. And now ſuppoſing themſelves wholly Victorious, *Maſſey*'s Officers and Soldiers, ſome diſmounted and went into the Houſes, others diſperſed themſelves: All neglected both the making good the Bridge they entred at, and diſarming the main Guard; for though they charged by them, and routed them, yet they were now rallied again; and obſerving the Enemy not ſeconded with Foot, and in Confuſion, they charged upon them, and beat them out of the Town, and took ſeveral of them Priſoners:

The taking of *Tewxbury* by *Maſſey*, June 5.

Major *Myn* taken.

An. 1644.

But they had before ſecured the Governour, by ſending him over *Severn* with a ſmall Party as ſoon as he was taken.

By this time Colonel *Maſſey* was come up with his Foot; but the Bridge towards *Gloceſter* was then drawn up, and the Work Man'd on that ſide; therefore he placed his Dragoons there, to hold them in play, whilſt he drew his Men round the Town, it being now dark night: But before he could reach the further end, where he entred about midnight, thoſe of the Town having loſt their Governour and ſeveral Officers, deſpairing to maintain it, were fled away towards *Worceſter*, but left behind them eighteen Barrels of Powder, one hundred and twenty Skains of Match, two hundred new Pikes, thirty four large Hand-Granadoes, ſtore of Muſquet-Shot, and two Braſs Drakes. The taking of this place was of great conſequence, being a ſtrong Frontier-Town ſecuring that ſide of the County of *Gloceſter*, and commanding a good part of *Warwickſhire*: and hereby his Majeſty's Meaſures were broken, who had it in his Thoughts for his own Paſs, and by it to put a ſtop to *Waller*'s Army, which then followed; and in order thereunto his Majeſty was advanced within a days march of it before he heard of its being loſt, and then was forced to turn aſide to *Eveſham*, *&c.* as you have heard before in the Relation of his Majeſty's Marches: Where you had alſo the taking of *Sudeley-Caſtle*, which preſently after followed, wherein *Maſſey* aſſiſted; and the keeping thereof was left by Sir *William Waller* to the *Gloceſter* Forces.

The taking and keeping theſe places had ſo drain'd away *Maſſey*'s Men, that he was not able to take the Field again, till recruited by the arrival of Colonel *Stephens* with three Troops of Horſe, and two Troops of Colonel *Harlye*'s Regiment, at which time he received Intelligence, that the King's Forces of *Herefordſhire* and *Worceſterſhire* were to joyn about *Coſſelawn*, and ſo march up to the Gates at *Gloceſter* to waſte the Countrey, and (as was given out) burn up all the Corn on the ground, (it being then near Harveſt) that ſo they in *Gloceſter* might not be able to procure ſubſiſtance. To prevent this Conjunction, *Maſſy* reſolves to march out with the five Troops before mentioned, and ſome Horſe of his own, two hundred and twenty muſqueteers from *Gloceſter*, and one hundred that were to meet him on the way from *Tewxbury*. But juſt as they were ready to march, an Accident happen'd that had like not only to have ſpoiled that deſign, but ruined the whole Garriſon of *Gloceſter*; for there having that morning at the Council of War happen'd ſome words between Major *Gray* and Major *Hammond*, the former began now to queſtion the latter for his haſty Language, and require ſatisfaction, and his Challenge being either refuſed or ſlighted, ſtruck him over the Face with his Fiſt, whereupon both drew, and after a little claſhing, *Gray* (that began the Quarrel) received his Deaths-wound by a thruſt in the Neck, and expired in the place; whoſe Souldiers being then in Arms, not only refuſed to march, but threatned to be Reveng'd for the Death of their Major, on *Hammond* and his Men, and the whole City and Garriſon ſeemed to be in an uproar: The Governour was forced to uſe his beſt Art to appeaſe them, and after an hours Perſwaſion and Intreaty, they were ſomewhat qualified, and content to march, but by this means it was late in the Afternoon before they advanc'd: Major General *Myn* with about an hundred and ſixty Horſe, and eight hundred Foot, Quartered that Night at *Red Marley*, with whom early next morning *Maſſy* engaged, and

Major *Gray* killed by Major *Hammond*, at *Gloceſter*, in a private quarrel.

20 *Caroli.*

and after a sharp Encounter, wherein Major General *Myn* was slain upon the place, with about a hundred and seventy of his Men, Major *Buller*, seven Captains, four Lieutenants, five Ensigns, and near three hundred Common Souldiers taken Prisoners; but in the pursuit of them they met with the *Worcester* Forces, consisting of a hundred and fifty Horse, and five hundred Foot, who coming to joyn with *Myn* that day, the aforenamed Lieutenant Colonel *Passie*, who Commanded them, rid away before, not suspecting any Enemy, and just at the beginning of the Fight was coming up to *Myn*'s Brigade, to bring News of their Arrival, but there intercepted by some of *Massy*'s Scouts, was wounded and left for dead, whereby each Party was left ignorant of the others Condition; but during the time of the Action the *Worcester*-men were advanced near, whilst *Massy*'s men were scattered in the pursuit of those they had routed. The first Discovery of these New Forces was made by Colonel *Broughton* and Captain *Backhouse*, upon whom a blunt Trooper charged up from the Head of the main Body in the Entrance of a Cross Lane. Him they surprized in the Name of Friends, drew him aside, and inform'd themselves of the strength at hand, and then making a sudden outcry, as if they had a great Body to fall on ready for a Charge, caused the *Worcestershire*-men, suspecting some Ambuscade to stop and retreat, and so got opportunity for *Massy* to get his scattered Souldiers into Order, who not thinking fit to adventure on a fresh Dispute, was content to retire with the Success he had already gain'd. The Body of Col. *Myn* was brought to *Gloucester*, and there honourably buried: He was a Gentleman that had served in *Ireland*, and after the Cessation came over with his Regiment to assist the King in *England*.

Maj. General *Myn* defeated, and he slain by *Massie*'s Forces, *July* 27.

Prince *Rupert* some time after the Defeat at *Marston-moor* had some of his scattered Troops got towards *Wales*, and Quartered about *Hereford*, whom towards the latter end of the Summer he had a mind to draw into the West: But apprehending least *Massey* might intercept them, to facilitate their Passage over the *Severn* at *Aust*, his Highness sent a Commanded Party of five hundred Horse and Foot, who began to fortifie *Beachly* for a lasting Guard, being a place of difficult approach, being a Gut of Land running out between *Severn* and *Wye*, but a Commodious Passage from *Wales* to *Bristol* and the Western Parts. Four dayes after they had began their Fortifications, and drawn the Trench half way from the Bank of one River to the other, the rest being well guarded with a high quick-set Hedge (which they lined with musqueteers) and a Ditch within, with a fair Meadow beyond, wherein they had made a Re-intrenchment, *Massey* with about six hundred Horse and Foot advanced thither, and lighting on a Party of Horse from *Chepstow*, Skirmisht and made them retreat, then faced the New Works that Evening and next Morning, waiting an opportunity for an Assault, for at high Water the place was inaccessible, by reason of the Ships which guarded each River with Ordnance, lying level with the Banks, and clearing the face of the Approach from *Wye* to *Severn*; wherefore taking the advantage of low Water, he drew forth a Party for the On-set, out of the *Forlorn-Hope* he selected ten musqueteers to creep along the Hedges, and thence fall on; these gave the first alarm, and caused those in the Works to spend their first shot in vain; which being done before they could recharge, on went the *Forlorn-Hope*, and the Reserve following, they ran up the unfinisht Works, and got Possessi-

Massey obstructs the Works at *Beachly*.

An. 1644.

on of them, killing ſeveral and taking many Priſoners, but ſome recovered Boats and got away, others were drown'd.

Monmouth taken by *Maſſey*. *Sept.* 26.

His next Work was the taking of *Monmouth*, which indeed was betray'd unto him by Lieutenant Colonel *Kyrle*, one that revolted from the Parliaments Party upon the loſs of *Briſtol*, and now had a mind to tack about again, and purchaſe his Peace with them at the Price of this Town; in order to which *Maſſey* quartering his Horſe and Foot near thereunto, on the Forreſt-ſide, after this Action at *Beachley*, *Kyrle* propounded this method (which was followed) to accompliſh the Buſineſs, *viz.* That *Maſſey* ſhould pretend a ſudden return to *Gloceſter* with his Forces, and *Kyrle* would come out as to fall upon his Rear, and carrying them back with him, let them into *Monmouth*. Accordingly *Maſſey* gave out Neceſſity of a retreat, and having marched back three Miles, lodged his Forces in a Thicket of the Forreſt,, and ſent his Scouts abroad to prevent diſcovery: The Intelligence ſoon reaches *Monmouth*, and Lieutenant *Kyrle* draws out, whom *Maſſey* ſurprizes at *High-meadow-Houſe* about Mid night, with his Troop of about thirty Horſe, and with as little Noiſe as might be, advanced thence to *Monmouth*. Yet the Alarm was given, for *Kyrle*'s Cornet eſcap'd the ſurprize, and was got thither, ſo that the Town ſtood upon their guard, expecting an Enemy; yet *Kyrle* arriving at the Towns-end with a hundred ſelected Horſe, confidently came up to the Draw-bridge, pretended a return with many Priſoners taken, perſwaded the Guards, and prevailed with Colonel *Holthy* the Governour, by the means of the Officers of the Guard, to let down the Draw bridge, which was done, but with much jealouſie, and a ſtrong guard, and the Bridge preſently drawn up again, inſomuch that this firſt Party were like to be held Priſoners, and began to ſuſpect that *Kyrle* inſtead of Betraying the Town had betray'd them; however they declare themſelves, fall on, overpower the Guard, and make good the Bridge, ſome of them keeping a ſtrict Eye on *Kyrle*'s deportment, who fought as heartily as any of them, and ſo let in the main Body, and ſoon maſter'd the Town, but by the Favour of the Night dark and rainy, the Governour and moſt of the Garriſon made their Eſcape over the dry Graft.

Sir *Will. Blaxton* repuls'd.

This Surprize of *Monmouth*, the Key of *South-wales*, and only ſafe intercouſe for the King's Army between the Weſt, *Wales*, and the Northern Parts, alarm'd all the King's Party thereabouts, eſpecially the Marqueſs of *VVorceſter* at *Ragland-Caſtle*, who raiſed the Countrey, and called in ſome of Prince *Rupert*'s Horſe to their aſſiſtance, who with Sir *VVilliam Blaxton*'s Brigade, making as was reported five hundred Horſe, and above a thouſand Foot, marched thither, and beat up ſome of *Maſſey*'s Out-quarters, but after a briſk Skirmiſh were repulſed, a Major of Horſe and two Captains ſlain, and Sir *VVilliam Blaxton* wounded, and divers Priſoners taken, of whom ſuch as were *Welch*, *Maſſey* uſed very kindly, and ſoon after ſent them to their reſpective homes, every one with a little Note or Letter directed to his Maſter, or to the Pariſh where he lived, to ſignifie to them,

Maſſey's Policy to get the *Welch-men*'s good Will.

That the Intention of the Parliament and of Maſſey *in coming thither, was not to deſtroy or enſlave their Perſons, or take away their Goods or Livelyhoods, but to preſerve their Lives and Fortunes, to open the Courſe of Juſtice, and free them of their heavy burthens under the Forces of* Rupert *a German*: By which Artifice and free Diſcharge of the

the Priſoners, the *VVelch* People began to entertain better thoughts of the Parliaments Party than formerly. 20 *Caroli.*

To regain *Monmouth* for the King, the whole Power of *South-wales*, under the Command of Colonel *Gerrard*, advanced to *Abergaveny*, *Uske* and *Ragland*; and Sir *John Winter* aſſiſted with four hundred Men from *Briſtol*; one hundred of his own, and what aid Prince *Rupert* could ſpare, once more undertakes to fortifie the before deſcribed Paſs at *Beachly*, which would cut off all intercourſe between *Gloceſter* and *Monmouth*, and render that Garriſon uſeleſs. Hereupon on the 13*th.* of *October*, about midnight, marched from *Monmouth* one hundred Muſqueteers and eight Troops of Horſe unto *Clurewall*, expecting there to meet the *Newnham* Foot drawn off for this deſign: Towards the next Evening they approached *Beachly*, kept the King's Forces there in Alarms all Night, whom they found well prepared, the Works carryed on with dexterity and diligence, and much Art and Coſt beſtow'd on Palliſado's and Breaſt-works; the moſt defective places from *Wye* to *Severn* defended with the tall quick-ſet Hedge, and a Ditch within as aforeſaid, Pinnaces riding in each River with Ordnance, the Line ſtrongly guarded with Hammer-guns and Murtherers placed on the Flanks at either end, ſo that it ſeem'd impoſſible to Storm it by day, without great Loſs: But it happen'd that low-water happen'd about break of Day, at which time *Maſſey* with a ſmall Party in a ſilent March, came cloſe to the Works, forced two or three Palliſado's, ſo that ſome of the Foot and the Forlorn-Hope of Horſe broke in, but finding themſelves at a ſtand between the Palliſado's and the quick-ſet Hedge lined with muſqueteers, began to face about, when there was no looking back nor paſſing forwards by reaſon of the continual ſhot. In this Party was *Maſſey* himſelf engaged, now become Leader of the Forlorn-Hope, and with no little difficulty forced his own Horſe over the Hedge, fell in amongſt them, was recharged furiouſly, his Head-piece knock'd off with the But-end of a muſquet, yet he held out 'till ſome of his Foot and Horſe got over after him to his reſcue, who were ſoon followed by a full Body of Horſe and Foot, who by main force bore down all before them, ſlew thirty, and took Priſoners a Lieutenant Colonel, a Major, two Captains, and above two hundred Common Souldiers; Sir *John Winter* himſelf was forced down *the Cliff* to the River, where a Boat lay ready that convey'd him to the Ships that were riding within muſquet-ſhot of the ſhore.

Maſſey a ſecond time deſtroys the Works at *Beachly*.

Though this place were of ſuch importance to the King, yet *Maſſey* found it would not be uſefull for him, unleſs the Parliament had had Ships there to be Maſters of the Sea, becauſe at every Flood the Ships on the *Severn* lay level with the higheſt ground, therefore 'twas reſolved at a Council of War, that the Works ſhould be ſlighted, and all Trees and Hedges cut down.

At *Monmouth* Colonel *Broughton*'s Captain Lieutenant, in *Maſſey*'s abſence, undertook to Garriſon a Houſe near *Godridge-Caſtle*, but within few dayes the Houſe was fired about his Ears, and he and all his Company carryed Priſoners to *Hereford*. But this was but the Omen of a greater Loſs to *Maſſey*, for he being by an Expreſs *November* the 10*th.* Ordered by the Committee of both Kingdoms, to march with all the ſtrength he could make, into the Borders of *Oxfordſhire*, to prevent the *Welch* Forces under the Conduct of Colonel *Gerrard*, from joyning with the reſt of his Majeſties Army, or that he ſhould joyn with the Parliaments Forces as occaſion ſhould offer,

An. 1644.

offer, called off his own Regiment of Horſe from about *Monmouth*, and marched to *Eveſham*; but *Gerrard* was arrived there before, nor could he retard his March, being too weak to encounter him. In his abſence he committed the Charge of the Town to Major *Throgmorton*, Serjeant Major to Colonel *Harley*, who that he might have the Honour of doing ſomewhat, marched out with three hundred Commanded Men to *Chepſtow*, on *Sunday*, *Novemb.* 17. intending to attacque that Caſtle, but ſome Royaliſts in *Monmouth*, Tenants to the Lord *Herbert*, ſent his Lordſhip Notice to *Ragland-Caſtle*, how weak they had left the Town, and that it would not be difficult to regain it; who preſently ſent to Colonel *Progers*, Governour of *Abergaveny*, and to Sir *Trevor Williams*, who kept a Garriſon at his own Houſe at *Langiby*, to ſend what Forces could be ſpared, and his Lordſhip himſelf ſent one hundred and fifty Horſe and Foot from *Ragland*, Commanded by his Brother the Lord *Charles Somerſet*, and all met at an appointed Rendezvouz near *Monmouth* on *Tueſday* the 19*th.* by five a Clock in the morning, and inſtantly made their approach to the higher ſide of the Town that looketh towards *Hereford*, having only a ſloaping Bank caſt up, with a dry Graft of no depth; Lieutenant Colonel *Somerſet* (a Kinſman of his Lordſhips) got over, with a Party of about forty, without any oppoſition, and came to *Dixton*'s Gate, where they found but ſix Men, who fled at their approach, whereupon one took an Iron Bar wherewith he broke the Chain, forced open the Gate, and ſo let in their whole Body of Horſe, who rid up the Town in a full Career, ſeized upon the Main-guard, and ſurprized the reſt of the Garriſon for the moſt part in their Beds. Amongſt the Priſoners they took were the Committee of *South-wales*, conſiſting of Colonel *Broughton*, Colonel *Stephens*, Mr. *Catching* of *Trelleck*, and Mr. *Jones* of *Uske*, together with four Captains, about one hundred and fifty Common Souldiers, fourteen Pieces of Ordnance, fifteen Barrels of Gunpowder, with Bullet and Match proportionable, and ſtore of good Arms. *Maſſey* receiving advice hereof at *Burford*, haſted back to the relief of the Party gone againſt *Chepſtow*; but they hearing of the Loſs, without effecting any thing againſt *Chepſtow-Caſtle*, got over at *Tyntern Ferry* to this ſide *Wye*, and were met by *Maſſey* in the Forreſt, who marched to *Roſs*, deſigning to have gone over to the relief of *Pembridge-Caſtle*, (an Out-guard to *Monmouth*) but found the Bridge broken down, ſo thoſe in that Caſtle were forced to Surrender upon Quarter, and moſt of them took up Arms for the King, having formerly been of his ſide, and taken Priſoners.

Monmouth retaken for the King, *Nov.* 19.

The Committee-men taken.

Pembridge-Caſtle taken for the King.

Oſwaldſtree taken by the Earl of *Denbigh*, *June* 23. 1644.

The Earl of *Denbigh* about the middle of *June*, having Order to advance into *Shropſhire*, to intercept a Quantity of Ammunition going to Prince *Rupert*, failed of his deſign, for the ſame was carried another way; whereupon he, with the Advice and aſſiſtance of Colonel *Mitton* Governour of *Wem*, marched to *Draiton*, where leaving a good Reſerve he advanced to *Oſwelſtree*, and with a Forlorn Hope conſiſting of two hundred Foot, and two Troops of Horſe, faced the Town on the 23*d* of *June*, at Two of the Clock in the Afternoon; and within an hour after plaid ſo fiercely on the Town with ſmall and great Shot, that a Breach was made in the Wall, and with the loſs of one or two men, and three wounded, entred the Town; whereupon thoſe within fled to the Church, and thence to the Caſtle, where being ſhut up, and the Pioneers ſet to work, and

and Order given for firing the Gates with Pitch, they came to a parly, and ſurrendered it upon Quarter: There were taken Priſoners Leutenant Col. *Birdwell* Deputy Governour, (for Sir *Abra. Shipman* the Governour was then at *Shrewsbery*,) four Captains, about three hundred Common Souldiers, two hundred Muſquets, a hundred Pykes, ſome Powder. The Town to prevent Plundering, agreed to raiſe 500 *l.* for the Souldiers: The Earl left Col. *Mitton* Governour there, and haſtened into *Lancaſhire*. 20 *Caroli.*

But in few days after to Regain this Town, about fifteen hundred Horſe, and about three thouſand Foot of the Kings Forces (drawn out of divers Garriſons) under Command of Col. *Marrow*, appeared before it, *June* 29*th*, on the firſt notice of whoſe approach *Mitton* diſpatcht away an Expreſs to Sir *Tho. Middleton* for relief, who on *Sunday June* 30*th*. with ſuch Forces of Horſe and Foot as he had with him, and the aſſiſtance of three *Cheſhire* Regiments, *viz.* Col. *George Booths*, led on by himſelf, Col. *Manwarings* and Col. *Croxons*, advanced from *Knotsford* (where before they were preparing to march to *Mancheſter*, and ſo to the North, according to an Order of the Committee of both Kingdoms,), that Night to *Spurſtow* Heath, and *Bunbury* in *Cheſhire*, being about fourteen miles; on the Munday to *Fens Hall* in *Flintſhire* eleven miles, and on *Tueſday July* the ſecond, about two a Clock in the Afternoon came within ſight of *Oſwaſtree*, which the Beſiegers by Battering and Storming had attacqued moſt furiouſly, and had got poſſeſſion of the Church; but the reſt of the Town and the Caſtle holding out, upon notice of *Middletons* advance, they drew off, and prepared to receive him, about three miles diſtance from the Town, and Lined the Hedges with Muſqueteers: Col. *Marrow* with his Horſe charged moſt fiercely upon *Middleton*, and the diſpute for ſome time was doubtful, each ſide being three times forced to retreat, and as often advanc'd to another Charge. But at laſt *Middleton*'s Foot coming up to the Relief of his Horſe, they put Col. *Marrows* party to an abſolute flight, and purſued them ſome miles towards *Shrewsbury*. There were taken the Lord *Newports* Eldeſt Son, a Captain of Horſe, and one Captain *Swynerton*, two hundred common Souldiers, moſt of them *Welch*. *Middletta* loſt Capt. *Williams*, and a Captain Lieutenant, with ſeveral of his Horſes, and ſome Troopers, and many wounded.

Beſieged by Col. *Marrow June* 29th.

Relieved by Sir *Tho. Middleton, July* 2d.

The Lord *Ogleby* (a *Scotch* Lord) and Lieutenant Collonel *Huddleſton*, marching towards *Latham-houſe*, *Auguſt* the 15*th*. with about four hundred Horſe, fell upon a Party of the Parliaments under Colonel *Doddington* at *Ribble-Bridge* near *Preſton* in *Lancaſhire*, and had utterly routed them, had not Colonel *Shuttleworth* (who quartered near) come to their Aſſiſtance, who then charged the Lord *Ogleby* ſo deſperately with their united Strength, that his Troops were broken, his Lordſhip, and Lieutenant Colonel *Huddleſton*, and ſeveral others taken Priſoners: But of *Doddingtons* men, Twelve onely carried away Priſoners, and ſeveral ſlain.

The Lord *Ogleby* taken by the Parliament, *Aug.* 15th.

On the 18*th*. of *Auguſt*, Colonel *Marrow* Governour of *Cheſter*, fell upon a party of *Brereton*s Forces near *Crowton-houſe*, where they kept a Garriſon, and took fourteen of them Priſoners: But paid dear for it, himſelf there receiving a Shot, whereof ſoon after he dyed at *Cheſter*.

Col. *Marrow* ſlain near *Cheſter, Aug.* 18th.

Auguſt the 21*th*. *Brereton* ſending out a Party from *Northwich*, they advanc'd to *Tarvine* within four Miles of *Cheſter*, and skirmiſht with a party of the Kings Forces: But the Alarm being given to *Cheſter*,

Skirmiſh at *Tarvine, Aug.* the 21th.

An. 1644.

Cheſter, they ſallied out of that Garriſon, and the *Parliamentarians*, were forced to retreat in haſte, yet carryed Captain *Gibſon* and ſome others Priſoners.

Skirmiſh at *Malpeſh*, where Sir *William Brereton's* Forces had the better. *Aug.* 26th.

About this time one that had been a Trumpeter to Prince *Rupert*, on ſome diſcontent revolted to the Parliament, offering his ſervice to Sir *William Brereton* at *Nantwich*; whom alſo he informed, That a Party of the *Weſtmorland* Forces, with Colonel *Baines*, Colonel *Coniers*, Sir *Marmaduke Langdale*, and others, in all conſiſting of about a thouſand men, were marched towards *Cheſter* by *Malpeſs*, to join with Prince *Ruperts* Forces there; which Intelligence by Scouts ſent out, they found to be true, whereupon on Sunday, *Auguſt* 25*th.* he drew out Eight Troops of Horſe, and Seven Foot Companies, and the latter were mounted with the former, each Trooper carrying a Foot-man behind him; and on Monday morning by break of day were got within two miles of *Malpeſs*, where the Foot alighted, and the Horſe drew into a Body, and marched before the Foot. By this time the Kings Forces had Intelligence of their March, and ſent out a Forlorn Hope: But *Brereton's* Horſe not coming on that way they expected, wheeling about got between the Town and them, and kill'd or took Priſoners the moſt of them; and then faced the Town: Whereupon the Kings Forces marched out towards them in good Order, and gave them two or three gallant Charges, which the other reſolutely ſuſtained; and after a brisk Encounter, *Brereton's* men forced the Kings Forces to retreat in diſorder, and took Priſoners, one Serjeant, Major *Cromwell*, Major *Maxy*, Major *Crathorn*, ſome other inferior Officers, and about twenty common Souldiers.

Middleton takes thirty ſix Barrels of Powder, *&c.* in *Montgomery-ſhire*, *Sept.* 4th

Sir *Thomas Middleton* having received Orders from the Committee of both Kingdoms to march into *Montgomery-ſhire*, ſet forwards from *Oſweſtry* upon the third of *September*; and marching all Night, got by Morning to *New-Town* in *Montgomery-ſhire*, where a party of the Kings Forces were quarter'd, whom he ſurprized, and took Sir *Thomas Gardiner* (Son of the late Recorder of *London*) who was Captain of a Troop of Horſe, with his Cornet and about forty Troopers, Priſoners: He alſo took four Waggons loaden with Ammunition, containing thirty ſix Barrels of Powder, and twelve of Brimſtone, good quantities of Match, *&c.* which were intended for the ſupply of *Leverpool*, *Cheſter*, and other Garriſons of the Kings, which were in great want thereof, and could not for any Money be elſewhere ſupplyed. From thence on the fourth, he advanced to the Town of *Mountgomery*, where the Caſtle, a place of great ſtrength, was kept by the Lord *Herbert* of *Cherbury*, but in a kind of Neutrality hitherto, not declaring either for King or Parliament: But now at *Middleton's* entrance into the Town, upon a Treaty, he admitted his Forces into the Caſtle, but continued in it himſelf, and there was laid up the before-mentioned Powder and Ammunition. To regain which, the Kings Forces in thoſe parts ſuddenly drew together, (about two thouſand of Prince *Ruperts* Horſe having ſome time before broke through *Lancaſhire*, and ſcattered themſelves in that and the adjacent Counties of *North-Wales*,) who being reinforced with Foot out of ſeveral Garriſons, making in all near four thouſand men, under the Conduct of the Lord *Byron*, advanced towards *Montgomery*, which obliged *Middleton* (leaving all his Foot with my Lord *Herbert* and Col. *Price* in the Caſtle,) to haſten away with his Horſe to *Oſwalſtry*; but not with ſuch ſpeed, but

my

20 *Caroli.*

my Lord *Byron*'s Troops cut off ſome of them in the Rear, and laid a cloſe and fierce Siege to *Montgomery-Caſtle*; to relieve which, *Middleton* ſent for Succours both into *Cheſhire* and *Hampſhire*; whereupon Sir *John Meldrum*, and Sir *William Brereton*, and Sir *William Fairfax*, all joyned with him, making a Body of three thouſand and upwards, with whom on the 17*th*. of *Sept.* they came up to *Montgomery*, and lay that Night at a ſmall diſtance in the Field; upon their approach the Lord *Byron* drew off from the Caſtle, and placed themſelves on a Mountain above it, *Meldrum* who Commanded the Parliaments Forces there in chief, reſolved not to go to them, but to endeavour to Re-victual the Caſtle, and for that purpoſe ſent out Parties to bring in Proviſions; which the Lord *Byron* perceiving, marched down in a Body with his Horſe and Foot in excellent Order, and came up to the ground where *Meldrum* and his Party were drawn up, and gave them Battel, endeavouring to break through them to regain a Bridge they had poſſeſſed themſelves of the Night before, whereby they would have cut off all Paſſage for their Retreat, and in the firſt Charges the Kings Troops had much the better, forcing *Meldrum*'s Horſe to retreat ſeveral times, but ſtill they Rallied: It came to puſh of Pyke, and therein my Lord *Byron* had alſo the advantage, having more Pykes than the Enemy: Sir *William Fairfax* charged moſt valiantly, and engaged himſelf ſo far, that being ſore Wounded he was taken Priſoner, yet reſcued by ſome of his own Men, and carried off, but dyed the next day of his Wounds. After about an hours cloſe Fight, the Parliaments Party began to prevail, and then in ſhort time put the Lord *Byron*'s Forces to flight, and purſued them ſome Miles, doing great Execution, and taking Priſoners, Col. *Broughton*, Col. Sir *Tho. Tilſley*, Lieut. Col. *Bladvell*, Major *Williams*, 9 Captains, 17 Lieutenants, 3 Cornets, 22 Enſigns, and above 1000 Priſoners, and 1500 Arms. The Parliaments Party much lamented the Death of Sir *William Fairfax*, as alſo of Major *Fitz Simons*, who was likewiſe ſlain here; but beſides thoſe, would not acknowledge above 60 or thereabouts on their ſide kill'd, and near a hundred wounded; but gave out that they kill'd at leaſt 400 of the Lord *Byron*'s men, beſides thoſe taken Priſoners.

The Fight at the Relieving of *Montgomery-Caſtle*, *Sept.* 18. where the King's Forces were worſted by *Meldrum*, *Brereton* and *Middleton*.

Sir *William Fairfax* ſlain.

Sir *John Meldrum* having for ſome time laid Siege to *Liverpool* in *Lancaſhire*, and reduced the Garriſon therein to great ſtraits, and yet the Officers refuſing to Surrender it, about fifty of the *Engliſh* Souldiers made their Eſcape out of the Town, and drove along with them what Cattel they could, and came in to *Meldrum*; which thoſe that remained in the Town perceiving, and being moſt of them *Iriſh*, and fearing they ſhould be exempt from Quarter, therefore to make their Peace on *Novemb.* the 1*ſt*. they ſeized upon ſeveral of their Commanders, and delivered them Priſoners to *Meldrum*, who thereupon got Poſſeſſion of the Town, where were taken two Colonels, two Lieutenant Colonels, three Majors, fourteen Captains, great ſtore of Ordnance, Arms and Ammunition. The Royaliſts to avoid Plunder, had Shipped moſt of their beſt Goods and Treaſure; intending to convey the ſame to *Beaumorrice*, but thoſe of the other Party gave Notice thereof, ſo that *Meldrums* Souldiers manned out Long-Boats, and took and made Booty thereof.

The taking of *Liverpool* by *Meldrum*, *Nov.* the 1*ſt*.

An. 1644.

CHAP. XVIII.

The Civil Tranſactions *of the Year* 1644.

THE moſt material Military Actions of this Year 1644. being thus diſpatcht, it remains now to give Account of *Civil Occurrences*, the Proceedings at *Weſtminſter*, the Tranſactions between his Majeſty and the two Houſes, *&c.* wherein *as to Parliament Ordinances*, I ſhall inſert the Dates and Titles (as far as I can) of all that paſs'd, but to avoid ſwelling the Book unneceſſarily, recite at large only thoſe that ſeem moſt remarkable; and withall ſuch petty Martial Affairs as have not properly fallen under any of the foregoing Narratives, ſhall here be mention'd by way of Diary, as they happen'd in ſeries of time.

March 26. Ordinance for *Eſſex*'s Army.

On the 26*th.* of *March*, 1644. the Two Houſes paſs'd an Ordinance for ſettling and maintaining the Army under the immediate Command of the Earl of *Eſſex*, [the ſubſtance of which we have before recited in its proper place.]

Ditto. Ordinance for ſparing one Meal a Week.

And the ſame day another Ordnance for the Contribution of the Value of one Meal a Week, reciting, "That the forbearing of one "Meal a Week, and contributing the Value thereof for the raiſing "Auxiliaries, having been voluntarily practiſed by many well affected "Perſons, and found to be very uſefull for that Service, therefore they "have thought fit to add Convenient Power to that way of Contribu-"tion, that ſo the Burthen may not reſt alone upon the willing Par-"ty, and therefore Ordain, that all and every Perſon or Perſons, and "their Families, inhabiting or reſiding within the Cities of *London* "and *Weſtminſter*, and the Suburbs and Places within the Lines of "Communication and Bills of Mortality, ſhall pay and contribute up-"on each *Tueſday* weekly, the value of one ordinary Meal, for "themſelves and Families, to be Aſſeſſed by the Alderman, Depu-"ty, Common Council-men, and others therein appointed, who are "to ſet a Rate what each Perſon and Family ſhall pay for the Va-"lue of ſuch Weekly Meal: And in Caſe of Non payment, diſtreſs "to be made for double the Value; and if no Diſtreſs can be found, "the Perſon to be Committed if thought fit by the Committee: This "Ordnance to continue for three Months, and not to extend to ſuch "as receive Alms.

Ditto. An Ordinance touching *Brereton.*

The ſame day alſo they made another Ordinance, entituled, *An Ordinance of the Lords and Commons in Parliament, to enable Sir* William Brereton, *Baronet, one of the Members of the Houſe of Commons, to Execute the ſeveral Ordinances of Parliament for Advance of Money within the County of* Cheſter, *and County and City of* Cheſter, *and to take Subſcriptions for the better ſupply and maintenance of the Forces under his Command, for the ſecurity of the ſaid Places, and for prevention of the Acceſs of the* Iriſh *Forces into thoſe Parts.*

Upon

20 *Caroli.*

Fryday, March 29. Great Seal.

Upon a Motion in the Houſe of Commons, a Vote paſſed that the Commiſſioners for the Great Seal, now attending the Parliament, ſhall have the like Power as the Lord Keepers formerly had, for the granting of Writs of Pardon to Condemn'd Perſons in the uſual manner, and it was Ordered to be Tranſmitted to the Lords for their Concurrence.

March 30. Ordinance for *Waller*'s Army.

An Ordinance for Raiſing and Paying three thouſand Foot, twelve hundred Horſe, and five hundred Dragoons, to be Commanded by Sir *VVilliam VValler*, as Serjeant Major General (under his Excellency the Earl of *Eſſex*, Lord General) and of all other Forces raiſed or to be raiſed in the Aſſociated Counties of *Southampton*, *Surry*, *Suſſex* and *Kent*.

March 30. Lord *Louthian* exchang'd for Col. *Goring*.

The Lord *Lowthian* (a *Scotch-man*) that had for ſome time been Priſoner in *Briſtol-Caſtle* came to *London* in Order to be exchang'd for Colonel *Goring*, who thereupon was releaſed out of the *Tower*.

April 3. Salt-Peter.

An Ordinance of the Lords and Commons in Parliament Aſſembled, for the making of Saltpeter.

April 4. Money for *Scotch* in *Ireland*.

The Commons having debated certain Propoſitions from the *Scotch* Commiſſioners, touching the ſending of a ſpeedy Relief to the *Britiſh* Forces in *Ireland*, Voted that ſixty ſix thouſand Pounds due in Arrear to thoſe Forces to the 22*th*. of *March* laſt, be forthwith ſent unto them, with the Victuals, Cloathing, and other Neceſſaries formerly deſigned for them.

April 6. For Obſervation of the Lords-Day.

An Ordinance of the Lords and Commons Aſſembled in Parliament, for the better Obſervation of the Lords-Day; whereby it is Ordered that all former Laws for that purpoſe be carefully put in Execution: That none ſhall ſell any Wares or Fruits, nor Work, nor Travel, nor uſe or be preſent at any Exerciſes, Games, or Paſtimes, on that day. That all May-poles (an Heatheniſh Vanity, generally abuſed to Superſtition and Wickedneſs) be taken down, and that the King's Declaration concerning Obſerving of Wakes and uſe of Exerciſe and Recreation upon the Lords-Day, The Book entituled *The King's Declaration to his Subjects concerning lawfull Sports to be uſed*, and all other Books and Pamphlets that have been or ſhall be Written, Printed or Publiſhed againſt the Morality of the Fourth Commandment, or of the Lords-Day, or to Countenance the Prophanation thereof, be called in, ſeized, ſuppreſſed, and publickly burnt.

This day alſo *Crowland* was retaken by the Parliaments Forces.

April. 8. Exciſe.

An Ordinance for the continuing the Exciſe for one Year longer.

Ditto. Timber.

The ſame day another Ordinance made for felling three hundred Trees in *VValtham-Forreſt* for the Uſe of his Majeſties Navy Royal.

April 13. A Spye Executed.

An *Oxford* Spye was this day Executed in the *Pallace-Yard* at *VVeſtminſter*, according to the Sentence of a Council of War (he having been once before Pardon'd by the General) another was

20 *Caroli.*

April 29. The Committee of both Kingdoms brought in their Draught of Propoſitions for Peace, which were read, and Ordered to be Conſidered and Debated by the Houſe in Order.

May 1. An Ordinance of both Houſes to prevent the Adjournment of the Term, or any of the Courts of Juſtice from *Weſtminſter*.

May 3. Colonel *Fox* with a Troop of Horſe marcht from *Tamworth* to *Bewdley* in *Worceſter-ſhire*, a Garriſon of the King's, and coming there late at Night, very reſolutely demanded Entrance at the firſt Court of Guard, under pretence of being one of the Prince's Troops, the Sentinel drawing up the Chain admitted him, which done, he ſecured that Guard, and paſſed to the ſecond, where he had the like Admittance, and likewiſe ſecured them, ſo advanced to the Main Guard in the middle of the Town upon the Bridge over *Severne*, killed the Sentinels, took Sir *Tho. Littleton* and ſome others Priſoners, and carried about forty good Horſes to *Coventry*.

May 7. The Houſe of Commons were in Debate of the Propoſitions for Peace; and having the Day before ſent up an Ordinance to the Lords, for the Continuance of the Committee of both Kingdoms in the ſame Power for three Months longer, (the time formerly limited being near expired) the Lords this day ſend down an Ordinance to that purpoſe, but with an addition of five Lords and ten Commons of their Nominating added to the ſaid Committee, which occaſioned great Debates amongſt the Commons, and the Houſe being divided upon the Queſtion, it was carried in the Negative, and a Meſſage was ſent to the Lords, to ſignifie, That they could not agree with them therein, and therefore to deſire their Lordſhips that they would paſs the Ordinance as it was firſt preſented to them from the Commons: But this the Lords declined to do for ſome time, and ſeveral Meſſages and Conferences there were about it, and they did not fully Conſent 'till the 20*th.* of *May* following.

Committee of both Kingdoms.

May 9. An Ordinance of the Lords and Commons Aſſembled in Parliament for the further demoliſhing of Monuments of Idolatry and Superſtition; that all Repreſentations of any of the Perſons of the Trinity, or any Angel or Saint in any Church or open place, ſhall be demoliſhed; the Chancel-ground raiſed for any Altar, level'd; no Copes, Surplices, Superſtitious Veſtments, Roods, Rood-lofts or Holy-water Fonts uſed; all Organs in Churches taken away: Provided this ſhall not extend to any Pictures, Image or Coat of Arms, ſet up only for a Monument of any King, Prince, Nobleman, or other dead Perſon, not reputed a Saint; and the Church-Wardens ſhall repair again the Windows, Walls, *&c.* that ſhall be impaired by this means.

Monuments of Idolatry.

The ſame day an Ordinance enabling the Committee of the Militia of *London*, to ſend forth the Hamblets, with the *Southwark* and *Weſtminſter* Auxiliaries.

May 10. An Ordinance for raiſing and maintaining of Horſe and Foot, for the Garriſon of *Gloceſter*.

Gloceſter.

It

An. 1644. brought to the Gibbet, but being his firſt Attempt in that kind, Reprieved.

April 15. Propoſitions for Peace. It was Voted in the Houſe of Commons, That it be referred to the Committee of both Kingdoms to prepare Propoſitions for Peace, and preſent them to the Houſes, to be there Debated, which the Lords conſented to, ſome Diſpute having been between the two Houſes, whether it ſhould be referred to that Committee, or a Committee of nine Lords and eighteen Commoners.

April 16. An Ordinance for Felling of Timber-Trees in the Woods of ſeveral Delinquents for the uſe of his Majeſties Navy Royal.

April 17. An Ordinance to continue the Power of the Committee of *Hereford* four Months longer.

Ordered that the Candleſticks, Crucifixes, and other Plate, that ſtood heretofore upon the Altar in *Paul's* Church, be ſold by the Committee at *Grocers-Hall*, and the Money employed for the Publick Safety of the Kingdom.

April 22. A Declaration in Anſwer to his Majeſties Proclamation of the 15*th.* inſtant, for bringing in Corn, *&c.* to *Oxford:* [Both which we have before recited at large.]

April 27. As the Parliament raiſed Money upon the Exciſe, ſo did his Majeſties Commiſſioners in his Quarters: Here followeth their Warrant, and a Liſt of the Names of the Kings Commiſſioners at *Oxford.*

A Warrant for Collecting Exciſe for his Majeſty.

Gentlemen,

Exciſe. HIs *Majeſty having made us (whoſe Names are hereunto ſubſcribed) his Commiſſioners of Excize, for the Counties of* Oxon, Berks, *&c. and We having Occaſion to make uſe of your Preſence at* Oxon, *do deſire you upon receipt hereof to make your ſpeedy Appearance to Us at the Schools in* Oxon; *and thus with our Loves to you, we reſt*

Your Loving Friends,

Oxon, *April* 27. 1644.

Edward Alford.
George Strode.
John Dutton.
John Fettiplace.
John Wandesford.

To Mr. *John Gregory* of *Wallingford*, and Mr. *John William* of *Woodſtock.*

The

An. 1644.

May 10. Col. *Carr* Governour of *Plymouth.*

It was Ordered by the Commons that Colonel *Carr*, a *Scotiſh* Commander, ſhould be Governour in chief of *Plymouth* and the Forces, and Commander of the Forces of the two Counties of *Devonſhire* and *Cornwall*, next under Sir *William Waller*, and Sir *John Bampfield* a Member of the Houſe, and of the ſame County, to be Governour of the Iſland and Caſtle there.

May 14.

Ordered that Colonel *Jephſon*, a Member of the Houſe, be Governour of *Portſmouth.*

May 15.

An Order for removing all Recuſants, Wives of ſuch as are in Arms againſt the Parliament, and ſuſpitious Perſons, out of *London* and *Weſtminſter.*

The ſame day an Ordinance for maintaining the Forces of the Aſſociated Counties under the Earl of *Mancheſter.*

Alſo an Ordinance for Sealing of Writs of Error with the New Great Seal.

Declaratio Sereniſſimi, Potentiſſimique Principis CAROLI, *Magnæ Britanniæ* Regis, ultramarinis Proteſtantium Eccleſiis tranſmiſſa.

His Majeſties Declaration to all Forreign Proteſtant Churches.

CAROLUS *ſingulari Omnipotentis Dei Providentia* Angliæ, Scotiæ, Franciæ & Hiberniæ *Rex, Fidei defenſor, &c. Univerſis & ſingulis qui præſens hoc Scriptum* ſeu Proteſtationem *inſpexerint, potiſſimùm Reformatæ Religionis cultoribus cujuſcunque ſint Gentis, gradus, aut conditionis, Salutem.*

CHARLES, By the eſpecial providence of Almighty God, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all thoſe who profeſs the true Reformed Proteſtant Religion, of what Nation, degree, or condition ſoever they be, to whom this preſent Declaration ſhall come: GREETING,

His Majeſties Declaration to the Forreign Proteſtant Churches.

CUm ad aures noſtras non ita pridem fama pervenerit, ſiniſtros quoſdam rumores, literaſque *politica* vel *perniciosa* potius quorundam induſtria ſparſas eſſe, & nonnullis Proteſtantium Eccleſiis in exteris partibus emiſſas, nobis eſſe animum & conſilium ab illa Orthodoxa Religione quam ab

WHereas *We are given to underſtand that many falſe Rumours, and ſcandalous Letters, are ſpread up and down amongſt the Reformed Churches in Forreign parts, by the* politick, *or rather the* pernicious *induſtry of ſome ill affected perſons, that We have an inclination to recede from that Orthodox Religion*

incunabulis inbibimus, & ad hoc uſque momentum per integrum vitæ noſtræ curriculum amplexi ſumus, recedendi; & Papiſmum in hæc regna iterum introducendi. Quæ conjectura, ſeu nefanda potius *calumnia*, nullo prorſus nixa vel imaginabili fundamento horrendos hoſce tumultus, & rabiem pluſquam belluinam in Anglia ſuſcitavit ſub larva cujuſdam (chimæricæ) Reformationis regimini, legibuſque hujus Dominii non ſolum incongruæ, ſed incompatibilis: *Volumus*, ut toti Chriſtiano Orbi innoteſcat, ne minimam quidem in animum noſtrum incidiſſe cogitatiunculam hoc aggrediendi, aut tranſverſum unguem ab illa Religione diſcedendi, quam cum corona, ſceptroque hujus regni ſolenni & ſacramentali Juramento tenemur profiteri, protegere, & propugnare. Nec tantum conſtantiſſima noſtra praxis & quotidiana in exercitiis præfatæ Religionis præſentia, cum crebris in facie noſtrorum agminum aſſeverationibus, publiciſque procerum hujus Regni teſtimoniis, & ſedula in regiam noſtram ſobolem educando circumſpectione (omiſſis plurimis aliis argumentis) luculentiſsime hoc demonſtrat, ſed etiam fæliciſsimum illud matrimonium quod inter noſtram Primogenitam, & illuſtriſsimum Principem *Auriacum* ſponte contraximus, idem fortiſsime atteſtatur: Quo nuptiali fœdere inſuper conſtat nobis non eſſe propoſitum illam profiteri ſolummodo, ſed expandere & corroborare quantum in nobis ſitum eſt.

Religion which we were born, baptized, and bred in, and which We have firmly profeſſed, and practiſed throughout the whole courſe of Our life to this moment, and that We intend to give way to the Introduction, and publick Exerciſe, of Popery again in Our Dominions: which conjecture, or rather moſt deteſtable calumny, *being grounded upon no imaginable foundation, hath rais'd theſe horrid tumults, and more than barbarous Wars throughout this flouriſhing Iſland, under pretext of a kind of Reformation, which would not only prove incongruous, but incompatible with the fundamental Laws and Government of this Kingdom; We deſire that the whole Chriſtian World ſhould take notice and reſt aſſured, that We never entertain'd in our Imagination the leaſt thought to attempt ſuch a thing, or to depart a jot from that holy Religion, which when We receiv'd the Crown and Scepter of this Kingdom, We took a moſt ſolemn Sacramental Oath to profeſs and protect. Nor doth Our moſt conſtant practice, and quotidian viſible preſence, in the exerciſe of this ſole Religion, with ſo many aſſeverations in the head of Our Armies, and the publick atteſtation of Our Barons, with the circumſpection us'd in the Education of Our Royal Off-ſpring, beſides divers other undeniable Arguments, only demonſtrate this: But alſo that happy Alliance of Marriage, We contracted 'twixt Our Eldeſt Daughter, and the Illuſtrious Prince of* Orange, *moſt clearly confirms the Reality of Our Intentions herein. By which Nuptial engagement it appears further, that Our endeavours are not only to make a bare profeſſion thereof in Our own Dominions, but to inlarge and corroborate it abroad as much as lieth in Our power.* 20 Caroli.

Hanc ſacroſanctam Anglicanæ Chriſti Eccleſiæ Religionem, tot Theologorum Convocationibus ſancitam, tot Comitiorum edictis confirmatam, tot Regiis Diplo-

This moſt Holy Religion of the Anglican *Church, ordained by ſo many* Convocations *of Learned Divines, confirm'd by ſo many Acts of Parliament, and ſtrengthned by ſo*

ma-

many

An. 1644.

matibus ſtabilitam, una cum regimine Eccleſiaſtico, & Liturgia ei annexa (quam Liturgiam, regimenque celebriores Proteſtantium Authores, tam *Germani* quam *Galli*, tam *Dani* quam *Helvetici*, tam *Batavi*, quam *Bohemi* multis elogiis (nec ſine quadam invidia) in ſuis publicis ſcriptis comprobant & applaudunt, ut in tranſactionibus *Dordrechtanæ Synodi*, cui nonnulli noſtrorum *Præſulum* (quorum Dignitati debita præſtita fuit reverentia) interfuerunt, apparet. Iſtam, inquimus, Religionem quam Regius noſter Pater (beatiſsimæ memoriæ) in celeberrima Fidei ſuæ *Confeſſione* omnibus Chriſtianis Principibus (ut & hæc præſens noſtra *Proteſtatio*) exhibita, publice aſſerit: Iſtam, Iſtam Religionem ſolenniter proteſtamur, Nos integram, ſartamtectam, & inviolabilem conſervaturos, & pro virili noſtro (divino adjuvante Numine) uſque ad extremam vitæ noſtræ periodum protecturos, & omnibus noſtris Eccleſiaſticis pro muneris noſtri, & ſupradicti ſacroſancti Juramenti ratione doceri, & prædicari curaturos. Quapropter injungimus, & in mandatis damus Omnibus Miniſtris noſtris in exterioris partibus, tam Legatis quam Reſidentibus, Agentibuſque & Nunciis, reliquiſque noſtris ſubditis ubicunque Orbis Chriſtiani terrarum, aut curioſitatis, aut commercii, gratia degentibus, hanc ſolennem & ſinceram noſtram Proteſtationem, quandocunque ſeſe obtulerit loci & temporis opportunitas, communicare, aſſerere & aſſeverare.

Dat. in Academia & Civitate noſtra Oxonienſi pridie Idus Maii 1644.

many Royal Proclamations, together with the Eccleſiaſtick diſcipline, and Liturgy *thereunto appertaining, which* Liturgy *and Diſcipline the moſt eminent of Proteſtant Authors, as well* Germans *as* French, *as well* Danes *as* Swedes *and* Switzers, *as well* Belgians *as* Bohemians, *do with many Elogies (and not without a kind of Envy) approve and applaud in their publick writings, particularly in the tranſactions of the Synod of* Dort, *wherein beſides other of our Divines (who afterwards were Prelates) one of Our Biſhops aſſiſted, to whoſe dignity all due reſpects and precedency was given. This Religion, We ſay, which Our Royal* Father *of bleſſed memory doth publickly aſſert in that his famous* Confeſſion *addreſſed (as VVe alſo do this Our* Proteſtation) *to all Chriſtian Princes: This moſt holy Religion, with the Hierarchy and Liturgy thereof, VVe ſolemnly proteſt, that by the help of Almighty God, We will endeavour, to Our utmoſt power, and laſt period of Our life, to keep entire and inviolable, and will be careful, according to Our duty to Heaven, and the tenor of the foreſaid moſt Sacred Oath at Our Coronation, that all Our Eccleſiaſticks, in their ſeveral Degrees and Incumbences, ſhall preach and practiſe the ſame. Wherefore we enjoyn and command all Our Miniſters of State beyond the Seas, as well Ambaſſadors as Reſidents, Agents, and Meſſengers, and We deſire all the reſt of Our loving Subjects, that ſojourn either for Curioſity or Commerce in any Forreign parts, to communicate, uphold and aſſert this Our ſolemn and ſincere Proteſtation, when opportunity of time and place ſhall be offered.*

Given in our Univerſity and City of *Oxford*, the 14*th.* of *May* 1644.

The

20 *Caroli.*

The Aſſemblies Letter to the Kirks in the Netherlands.

Fratres in Domino plurimum colendi,

QUÆ anno ſuperiore Eccleſiarum Zelandicarum nomine, miſſæ ſunt ad nos Literæ, ut eas communis totius Eccleſiæ veſtræ Belgicæ voluntatis teſtes fuiſſe interpretaremur, effecit benevolentia veſtra tot tantiſque officiis nobis ſpectata: quam ſententiam nobis confirmârunt ea quæ copioſè clariſſimus Eques *D. Archibaldus Johnſtonus Variſtonius* in foro ſupremo Judex, à reliquis tum Ordinum tum Eccleſiæ hujus Regni Delegatis *Londino* non ita pridem remiſſus, in hac ipſa Synodo Nationali de eximio veſtro erga nos ſtudio commemoravit: præſertim quanta fide, quàm ſolicitâ diligentiâ noſtram, vel Domini potius noſtri Jeſu Chriſti cauſam, quæ nunc *Londini* agitur & promoveritis, & promovere etiamnum ſatagatis. Quo in negotio, ex iis, quorum ab eo recitata audivimus nomina, de propenſa reliquorum voluntate & curâ, ut conciliandæ Eccleſiarum Britanicarum unionis fœliciter ſuſcepta conſilia, veſtrâ ope & operâ proſperum mature ſortiantur exitum, minimè obſcura fecimus indicia. Sunt hæc tam illuſtria benevolentiæ veſtræ teſtimonia, & in omnium bonorum oculis adeo perſpicua, ut eorum memoriam nulla unquam delere poterint oblivia. Laboris autem & jam impenſi & porrò ſuſcepti ad controverſias in Synodo *Londinenſi* ſuborientes fœliciter expediendas & decidendas nequando pœniteat, ex eo quem per divinam jam benedictionem fructum cepiſtis, optima quæq; in poſterum ſperare conſentaneum eſt.

Huic tam honorificæ beneficiorum veſtrorum commemorationi à *D. Variſtonio* factæ ſupervenerunt ex partibus Hiberniæ aquilonaribus Literæ multorum Chirographis ſubſignatæ; Qui ſingularis gratiæ in illam Eccleſiam divinitus effuſæ, ex quo tempore in ſocietatem fœderis trium unitorum ſub Rege noſtro Regnorum admiſſi ſunt, mentione facta, " Hujus inquiunt divinæ benedictionis am-
" pliſſimum nuper habuimus teſtimonium, Sanctorum in Belgio
" liberalitatem eximiam; qui nobis, ignotis licet & peregrinis,
" fratres ſe noſtri amantiſſimos, & malorum noſtrorum ſenſu te-
" nerrimo compunctos apertè demonſtrarunt. Pauculos enim nos
" gladio ſuperſtites, & fame propediem interituros, omnibus ex-
" tremis circumventos, in ipſo articulo ſublevarunt: nec tantum
" oratione ad conſolationem compoſita nobis animos confirmârunt,
" hortantes ut humiliter incedentes Deum liberatorem expectemus,
" qui non niſi ad breve tempus faciem ſuam à domo *Jacob* ab-
" ſcondere ſolet, ſed ſubſidio inſuper opulento cùm annonæ, tùm
" aliarum rerum ad noſtrâm in tantis anguſtiis relaxationem & ſo-
" latium neceſſariarum, copioſè nos refocillarunt. Tantam muni-
" ficientiam cùm ſupplices à Deo contendimus, ut ſeptuplam ipſis
" in ſinum rependat, tùm demiſſè vos etiam atq; etiam rogamus,
" ut in tanti beneficii agnitione Eccleſiis Belgicis, nobiſcum gra-
" tias agatis. Hæc illi. In quo quidem officio ſi illis deſimus, in nos pariter & illos graviter peccemus.

 Agnoſcimus

An. 1644.

Agnoſcimus igitur illuſtriſſimorum & potentiſſimorum *Hollandiæ, Zelandiæ*, aliorumq; Ordinum *Belgicorum* tam eximiam beneficientiam : quibus non conniventibus modo & permittentibus, (quod ipſum non vulgare beneficium habendum eſſet) ſed authoribus etiam, modumque & rationem præſcribentibus, exemplo quoque præeuntibus, in ſubſidium fratrum noſtrorum *Hibernenſium* collecta per Eccleſias facta ad ipſos maturè deportata ſit : Agnoſcimus piorum in iiſdem Eccleſiis *Belgicis* tam expromptam voluntatem & liberalitatem, agnoſcimus tantum beneficium non in ipſos magis fratres noſtros, quàm in illorum perſona in noſmetipſos eſſe collatum : Voſque (fratres Reverendi) obnixè rogatos volumus, ut quemadmodum nos ad omnem grati animi ſignificationem prompti ſemper erimus, ita quâ vobis potiſſimum ratione commodum videbitur, illuſtriſſimis & potentiſſimis Ordinibus noſtro nomine gratias agatis : populo autem Chriſtiano curæ veſtræ commiſſo tum publicè univerſo, tum privatim ſingulis, ut occaſio tulerit, demonſtretis quàm honorificè de ipſis ſentiamus, & quanti faciamus tam eximiam benevolentiam & charitatem, quâ in Eccleſiarum *Hibernicarum* conſolatione viſcera noſtra refocillaverunt. Quæ autem veſtræ fuerint, partes, fratres chariſſimi, quàm pio ſtudio & labore, quàm aſſiduâ diligentiâ tantæ charitatis ſemen in ſegetem & maturam tandem meſſem provexeritis, cùm nos libentes agnoſcimus, tùm res ipſa loquitur, & fructus opimus abundè teſtatur. Inprimis autem (quod caput eſt) tantæ gratiæ authorem & largitorem nos unâ cum Eccleſiis *Hibernicis* laudamus & celebramus : comprecantes ut in vos univerſos, in Eccleſias à Domino vobis commiſſas, in illuſtriſſimos *Belgii* veſtri Ordines Spiritum ſuum copioſè effundat, ut quemadmodum in Rep. veſtrâ adverſus hoſtem potentiſſimum defendendâ, & inter tantas bellorum moles indies amplificandâ, in Evangelii luce & veritate incontaminatâ contra inferorum portas in veſtris Eccleſiis propugnanda, atque inde latius propagandâ, immenſa Dei vobis excubantis potentia, multiformis ſapientia, & eximia beneficentia, per univerſum terrarum orbem hactenus celebrata eſt ; ita bonis omnibus vos deinceps cumulare pergat idem fons omnis bonitatis, ut frementibus religionis & libertatis veſtræ hoſtibus, ſapientiæ & optimarum artium juxta ac armorum triumphorumque gloriâ inter nobiliſſimas gentes Reſp. veſtra fœderata quotidie magis emineat, Eccleſia ſacrorum puritate, & cœleſtis veritatis ſplendore perſpicua refulgeat ; eoque proſperè vobis cedant veſtra prudentiſſima & ſaluberrima conſilia, quibus certiſſimum ad fœlicitatem publicam compendium vos capeſſere demonſtratis, nec vobis tantum conſulitis, ſed de vicinis etiam Eccleſiis ſoliciti, quâ operâ, quâ conſilio opibuſque veſtris eas ſublevatis & confirmatis omnes, & quaſi de ſpecula univerſis proſpicientis de periculis imminentibus commonefacitis, & ad ruinam ab hoſtibus doloſè machinatam maturè præcavendam armatis :

Ergo quod anno ſuperiori, veluti ſigno dato, Reformatas omnes Eccleſias, miſſis ex *Zelandia* literis commonuiſtis, ut cum impoſtores, *Jeſu* nomen impudenter ementiti, cæterique Antichriſti ſatellites, quo ſecurius in populum erroribus Pontificiis faſcinatum graſſari, & puriores Chriſti Eccleſias funditus extirpare queant, arctiſſimâ conjuratione ſociati ad impia conſilia patranda ſeſe accinxerunt ; Ita Eccleſiæ quoque Reformatæ ſine mora conſilia in medium alacriter conferant, & animos ac vires conjungant, ut perniciem ſibi omnibus intentatam in hoſtium capita retorqueant : ni fecerint,

cerint, tam pudendæ ignaviæ excuſatione apud poſteritatem carituri. Conſilium non minùs prudens & fidum, quam fœlix & ſalutare libenter & tum agnovimus & nunc ipſo etiam eventu comprobamus. 20 *Caroli.*

Principio autem ad hoc conſequendum neceſſarium videtur, ut ſine morâ convolemus omnes ad Deum noſtrum clementiſſimum, qui poſtquam Eccleſiarum Reformatarum mores minimè reformatos multis annis longanimitate ſuâ pertuliſſet, ferulam primùm, mox etiam gladium vibratum interminatus, tandem rubentem & madidum ſuorumque ſanguine calentem & ſpumantem per regiones plurimas jam diu circumtulit; in nos denique reliquos nunc intentat, ni ſi maturè reſipuerimus, & de domo ipſius amplius purgandâ, de gratiâ Domini noſtri *Jeſu Chriſti* pluris faciendâ, de cultu Dei ipſiuſque inſtitutis religioſiùs habendis, de Sabbatho ejus ſanctificando, à quo nimiùm oculos noſtros avertimus, & de moribus ad pietatis normam componendis magis ſerio quàm hactenus à nobis factum eſt, nobiſcum ſtatuentes cum populo Dei ſub *Nehemia*, *Joſia*, reliquiſque piis Gubernatoribus, religioſo fœdere percuſſo, tanquam firmiſſimo vinculo Deo obſtricti, nos inter nos arctius adverſus hoſtes univerimus, ut avertat Deus jam fumantem & capitibus noſtris imminentem iram; quam peccata noſtra pluriſima & maxima adverſus nos provocârunt & accenderunt.

Non tantum nobis deferimus, nondum eos renovato cum Deo fœdere, & votis nuncupatis dignos edidimus fructûs, ut noſtrum exemplum vobis proponere libeat: Quod tamen experti ſumus, de Dei erga nos gratiâ, quod gratitudo erga Deum, quod gloria ipſius à nobis flagitat, celare non audemus. Quæcunque noſtra malè merita ſunt in conſpectu Dei & hominum; certè ex quo die nos de religioſo fœdere cum Deo & inter nos ineundo cogitavimus, à portis inferorum revocari, & res noſtræ omnes in Deum noſtrum neceſſariò conjectæ melius habere cœperunt, & fœliciori hactenus ſucceſſu proceſſerunt: Quod ſi de fœderis hujuſmodi religioſâ ſocietate coeundâ quod rerum veſtrarum & Religionis in *Britannia* noſtra ex fœdere nuper inito perpurgandæ & ſtabiliendæ commodo fieri poſſit, veſtræ prudentiæ viſum fuerit, cogitare, & ex conſilio eorum quorum intereſt ſtatuere, ac cum aliis Reformatis Eccleſiis agere (pro eâ quâ apud omnes valetis gratiâ) ut eandem vobiſcam ineant rationem, non dubium eſt, per Domini ac Dei noſtri benigniſſimi *Jeſu Chriſti* in Eccleſias ſuas gratiam, fore, ut non modo, quod certiſſimum adverſus impendentia mala perfugium anno ſuperiore miſſis ex *Zelandia* literis denunciaſtis, Eccleſiæ Reformatæ arctioris ſocietatis vinculo inter ſe unitæ ad hoſtium conatus impetuſque frangendos corroberenter & confirmenter; ſed disjecti etiam lapides Domus Dei per *Germaniam* ex rudere & cineribus redivivi recolligantur, ac glorioſum Domini noſtri Templum ibidem inſtauretur: & purioris Religionis Profeſſores in iſtis Eccleſiis, per reſipiſcentiam ad eum qui percuſſit eos, reverſi, &, quod nullis eaneſcat ſæculis, fœdere in Domino nobiſcum coadunati, malis, ſub quorum pondere tot annos gemiſcunt, tandem ſubleventur. Qui dies longè optatiſſimus ſi per Dei gratiam ſemel illuxerit; de conſiliorum communione inter Reformatarum Eccleſiarum Synodos per Legatos & Literas conciliandâ iniri poſſit ratio, per quam Eccleſiæ hoſtes compeſcantur, hæreſes opprimantur, & ſchiſmata reſarciantur, pax cum Deo & inter Eccleſias firma conſervetur, & glorioſum Dei opus in Evangelio per orbem terrarum propagan-

An. 1644. do, & Antichriſti regno abolendo promoveatur. Quod ut optandum, & ſperandum, piis & prudentibus veſtris meditationibus, ut bonum ſemen fœcundiſſimo ſolo commendamus.

Edinburgii, 4. Junii; 1644.

Veſtræ Dignitati & Fraternitati addictiſſimi, Paſtores & Seniores Nationalis Synodi Scoticanæ, & noſtro omnium nomine ac mandato.

JA. BONAR *Moderator.*

DIRECT.
Eccleſiis Dei quæ ſunt in unitis *Hollandiæ, Zelandiæ,* aliiſque fœderati *Belgii* Provinciis.

To the Right Honourable the Knights, Citizens, and Burgeſſes of the Commons Houſe in Parliament Aſſembled.

The Humble Petition of the Lord Mayor, Aldermen, and Commons of the City of London, *in Common-Council Aſſembled.*

Sheweth,

The City of *London's* Petition to the two Houſes, *May* 16.

"THat the continued Induſtry, Courage and Conſtancy, which "this Honourable Houſe have manifeſted in all Affairs con- "cerning the Publick; the faithfull Endeavours of the Lords and "Commons, of the Committee of both Kingdoms, the ſpecial Care "taken of putting the *Tower of London* and *Caſtle of Windſor*, into "ſafe Hands, and your favourable Reſolutions, not to diſpoſe of "them otherwiſe, than as may ſtand with the ſecurity and ſatisfa- "ction of this City, have laid a great Obligation of Thankfulneſs "upon the Inhabitants thereof, and their Poſterity, and encourage "the Petitioners humbly to repreſent their Apprehenſions and Fears, "ariſing from the Diſcontinuance of that Honourable Committee; "eſpecially at this time, when our Enemies are ſo active, and all "our Armies in Motion; from the want of Execution upon Delin- "quents; the not putting *Tilbury-Fort* into ſafe Hands, and from "the Endeavours of divers Members of Parliament to be readmitted "into that Great Council, who have, contrary to the Truſt in them "repoſed, kept Correſpondence with the Enemy, joyned in other "Councils, and taken up Arms againſt the Parliament.

"For Removal of which Apprehenſions and Fears, and preventi- "on of the ſad Conſequences thereof, your Petitioners make it their "earneſt, and humble Suit to this Honourable Houſe;

"That the Committee of both Kingdoms may be ſo ſpeedily re- "eſtabliſhed, as the preſent Exigents of Affairs require.

"That the *Tower* of *London*, and Caſtle of *Windſor* may be con- "tinued in ſafe Hands, and the Garriſon at *Windſor* timely and "conſtantly ſupplied with Money and other Neceſſaries; and the

"Fort

"Fort of *Tilbury* well Mann'd, and put into the hands of persons of "Trust, and that have Ability to discharge the same. 20 *Caroli.*

"That a Course may be forthwith taken, for the Trial and Pu-"nishment of Delinquents.

"That none of the said Members may be Readmitted, without "special Assurance, and Satisfaction first given to both Houses of "Parliament for their Fidelity in time to come.

"That this Honourable House will persevere in your Endea-"vours and Resolutions, tending to the publick Good, notwith-"standing all Discouragements.

"And to rest assured, that the Petitioners for the Promoting "thereof, will chearfully obey your Orders and Directions, from "time to time, and adhere unto you, to the utmost Expence of their "Lives and Estates, according to their late Solemn Covenant.

MICHEL.

The ANSWER.

May 18th. 1644.

"THE House of Commons having received the Petition of the "Lord Mayor, Aldermen and Commons of the City of *Lon-*"*don*, in Common Council Assembled, delivered unto them upon "*Thursday*, the 16*th.* of this Instant *May*, by the Sheriffs, Aldermen "and divers others, appointed a Committee from the said Council; "after serious Consideration of the Contents, do return this An-"swer: The Commons Answer.

"They do Acknowledge it an especial Blessing of Almighty "God, that their Endeavours (wherein they have done but their "Duty) have been so well understood, and accepted by this Famous "City, without whose constant Affections and Assistance they could "not have brought this great Work to that hopeful Condition, "wherein, by the Mercy of God it now stands.

"To the particulars desired, they have esteemed them so neces-"sary for the publick Good, that the Settling of them hath already "been resolved upon in this House.

"For the Continuance of the Committee of both Kingdoms, an "Ordinance is depending for that purpose, the speedy perfecting "whereof they will endeavour.

"For the *Tower* of *London*, Castle of *Windsor*, and Fort at *Tilbury*, "they will take such farther Course, as shall be for the Security and "Satisfaction of the City.

"For the Tryal and Punishment of Delinquents, the House hath "already resolved upon an Ordinance, for the settling a constant Coun-"cil of War, within the Lines of Communication.

"For the not readmitting of such Members of Parliament, who "contrary to the Trust reposed in them, have deserted the same, "and adhered to the Enemy; this House hath passed an Ordinance, "as is desired, and will endeavour the speedy perfecting there-"of.

"For

An 1644.

"For the Expreſſions of adhering to the Houſe of Commons, "the Endeavours of promoting the publick Good, they have been "demonſtrated by Action in the times of greateſt Difficulty, where- "in the City hath ſpent their deareſt Blood, and vaſt Sums of "Treaſure, omitting no poſſible Supplies of Perſons and Purſe.

"In their moſt ſeaſonable Deſires, Offer and Promiſe they now "make (never to be forgotten by the Houſe of Commons) they "manifeſt, their Affections can admit of no decreaſe, which are great "Encouragements to this Houſe, to perſevere in the Endeavours and "Reſolutions deſired, wherein (by the Bleſſing of Almighty God) "they will perſiſt, to the utmoſt hazard of their Lives and Fortunes, "againſt the greateſt Diſcouragements, until the Affairs of the Church "and Common-wealth receive ſuch a happy concluſion, as all good "Men deſire and pray for.

"And in return for their great Affection, the Houſe of Commons "doth declare, They will, in a moſt peculiar manner, be mindful of "the Merit of this City, which, upon all occaſions, they ſhall ac- "knowledge, and will endeavour to requite; and in the mean time, "they give them moſt hearty thanks.

May 27. *Ruthen* made Earl of *Brainford.*

Patrick Ruthen, Earl of *Forth*, in *Scotland*, and General of the Kings Army in *England*, was by His Majeſty Created Earl of *Brainford.*

May 27. Sequeſtration.

An Ordinance for the better Execution of the former Ordinances for Sequeſtration of Delinquents and Papiſts Eſtates, wherein an Oath is preſcribed to the Sequeſtrators, and other Injunctions Eſtabliſhed.

May. 28.

An Ordinance for Mr. Sollicitor's doing all Acts, which ought, or may be done, by Mr. Attorney General.

The ſame day an Ordinance concerning the Exciſe at *Kingſton* upon *Hull.*

An Ordinance for ſecuring the Commiſſioners of Cuſtoms, the Moneys by them advanced for the State.

Votes concerning Convoys for the Merchants, *May* the 28*th.*

Upon Mr. *Grimſton*'s Report from the Committee, to whom the Complaint of the Merchants, concerning Convoys, was referred,

It is reſolved, upon the Queſtion, That the Conſideration of taking Convoy-Money of Merchant Strangers, be referred to the Committee of both Kingdoms.

Reſolved, *&c.* That it is againſt Law to require any thing for the Convoy of His Majeſties own Subjects, going in their own Veſſels, and Tranſporting or Importing their own Goods.

Reſolved, *&c.* That the Contract bearing date the 13*th.* of *November*, 1643. drawn from the *Engliſh* Merchants, for the Convoy of their Goods from *Morleaux*, in *France*, hither into this Kingdom of *England*, was unwarranted by any precedent, and ought to be delivered up to the Merchants to be Cancell'd.

The

The Lord Admiral to be acquainted with theſe Votes by a Letter, and to be deſired to take notice of the denial of Convoy to the *Engliſh* Merchants from *Morleaux*, and that his Lordſhip would take that Care, that for the future, convenient Convoys may be allowed to the *Engliſh* Merchants, upon convenient Demands, and and at convenient times.

June 3. Encouragement of Mariners.

An Ordinance for Encouragement of Mariners; reciting, That whereas by a former Ordinance, Mariners, beſides their Wages, were to have one third part of all Ships and Goods that ſhould be adjudged Prize; but divers Captains often Imbezil Moneys and Goods of value, therefore it is Ordain'd, That no Moneys, Goods, or Lading whatſoever, ſhall be taken forth, nor any Cheſts, Trunks, or Packs open'd, but the Ships and Goods entirely delivered to the Collectors of Prize Goods, and every Mans full ſhare ſhall be paid within fifty days after the Ship is adjudged Prize.

June 4. *Welch* Petition for Capt. *Swanly* to be ſent to them.

A Petition was read in the Houſe of Commons from ſeveral of the Gentry of *Wales*, deſiring that Captain *Swanley* (who was returned with the Fleet into the *Downs*, and he himſelf come up to *London* to give the Parliament an account of his Succeſſes in that Principality) might ſpeedily be ſent back and continue Commander in Chief amongſt them; whereupon, it was Ordered that the *Leopard*, the *Swallow*, and the *Providence* Frigates, which he brought to the *Downs* with him, ſhould be refitted and Victualled, and that he ſhould be Commanded into *VVales*, as was deſired And the ſaid Captain being called to the Bar, had the Thanks of the Houſe returned for his good Services; and as a further mark of Eſteem, it was Ordered, That a Chain of Gold, of the value of two hundred pounds, ſhould be given to him, and another of one hundred pounds value, to Captain *Smith* his Vice-Admiral.

Swanly and his Vice-Admiral to have Gold Chains.

June 8.

An Ordinance for Aſſociating the Counties of *Pembrook*, *Carmarthen*, and *Cardigan*.

The ſame day an Ordinance for making *Richard Brown* Serjeant Major-General of all the Forces imployed for the Reducing of *Oxford*, *VVallingford*, *Greenland-Houſe*, and *Banbury-Caſtle*.

June 9th. *Compton-Houſe* taken.

Collonel *Purefoy*, and the *VVarwick* Forces, took *Compton Houſe* in *Warwickſhire*, wherein they found 5500 *l.* in Money, beſides ſome Earthen Pots full of Money, diſcovered afterwards in a Fiſh-Pond; took one hundred and twenty Priſoners, and all their Arms, four hundred Sheep, near one hundred Head of Cattel, twenty Horſes, and eighteen Loads of excellent Goods, which they made Plunder of.

June 11. Mr. *Hungerford* Committed.

Mr. *Hungerford*, a Member of the Houſe of Commons, was brought to the Bar, for having withdrawn himſelf to *Oxford*, and ſitten in the Aſſembly there, of Lords and Commons of Parliament, and ſubſcribing their Letter. He alledged, that as to the Letter, his Name might be Counterfeited: But it was Ordered, That he ſhould be diſabled from ſitting any longer a Member of that Houſe, and ſtand committed to the *Tower*.

An

An. 1644.

June 13. An Ordinance for raiſing Money for Maintenance of Forces in the County of *Salop*.

June 13. An Ordinance for continuing, for four Months longer, the former Ordinance made for Maintaining the Forces under Sir *William Waller*.

June 15. Sick and Maimed Soldiers. An Ordinance for allowing two hundred pounds *per* Week, to be paid out of the Exciſe, towards the Relief of Sick and Maimed Soldiers, and the Wives and Children of ſuch as have been killed in the Service of the State.

June 15. About finding of Arms. An Ordinance for all perſons that have any Stocks, going in Trade, to find Arms, not exceeding three Foot Soldiers for any one Man; and to ſearch for Papiſts, and other ill affected perſons, and to expell them, and ſeize all Arms and Ammunition in the Cuſtody of any ſuch.

June 18. An Ordinance enabling the Militia of *London* to ſend out three Regiments of Auxiliaries, under Major General *Brown*.

June 20. Serj. *Glanvile* Committed. Serjeant *Glanvile* having deſerted the Kings party, this day preſented himſelf to the Houſe of Commons, begging their pardon, and was committed to the *Tower*.

A Picture ſcandalouſly miſinterpreted. A *Dunkirk* Ship having been taken near *Arundel*, wherein, amongſt other things, there were found ſeveral Popiſh Pictures, and particularly one curious large piece (deſigned to be ſet up in St. *Anns* Church, at *Sevil*, in *Spain*) repreſenting the Story of *Urſula* (that went to *Rome* (as the Legend hath it) with eleven thouſand Virgins) and her Husband *Conanus*, and their Addreſſes to the Pope, *&c.* Which Picture of *Conanus*, being fancied to be very much like the King, the piece was taken to repreſent the Queen, directing the King to ſurrender his Scepter to the Pope; and about this time, publickly expoſed at *Weſtminſter*, and ſome Pamphlets gave that Interpretation of it, but others honeſtly explain'd the true deſign of the Painter.

June 27. An Ordinance appointing Committees in the Counties of *Buckingham*, *Oxon*, and *Berks*.

Die Sabbathi, 29. *Junii*, 1644.

An Ordinance of the Lords and Commons in Parliament Aſſembled, for the *Excluding of the Members of either Houſe of Parliament*, that have deſerted the Parliament, and adhered to thoſe that Levy War againſt the Parliament.

An Ordinance for Excluding Members that have deſerted the Parliament. THE *Lords and Commons, now Aſſembled in Parliament, taking into Conſideration, that divers Members of both their Houſes, have, ſince the beginning of the Unhappy Diſtractions now depending, in breach of their Duties, withdrawn themſelves from that Attendance upon*

the

20 Caroli.

the Publick Affairs of the Kingdom in Parliament, to which the Neceſſities of the Kingdom, and the Truſt in them Repoſed, have obliged them; and have alſo joyned with, and repaired unto that Party, that is now in Arms againſt the Parliament; and ſeriouſly weighing the great Inconvenience and Prejudice, which hath ariſen, and may farther ariſe, in reſpect thereof, the ſame tending to the Scandal and Diſhonour of the Parliament, the Diſcouragement of ſuch as are well-affected, and the Subverſion of Religion, Laws and Liberty, by means whereof the whole Kingdom is nearly Intereſted and Concerned, in their ſaid Departure and Offence. And whereas divers Members of the Houſe of Commons, which have deſerted the Parliament, and adhered unto thoſe that Levy War againſt the Parliament, have, by Judgment of the Houſe of Commons, been juſtly diſabled from ſitting, or continuing any longer Members of the ſaid Houſe, during this preſent Parliament; by which Judgment; the ſeveral and reſpective Counties, Cities, Burroughs and Places, for which they ſerved, have Right to Elect new Members for the Parliament, upon a Warrant under the Hand of the Speaker of the Houſe of Commons, directing a VVrit to iſſue under the Broad Seal to that purpoſe: And whereas divers Members of the Houſe of Peers have alſo deſerted the ſaid Houſe of Peers, and adhered to thoſe that Levy VVar againſt the Parliament.

The Lords and Commons Aſſembled in Parliamint do Ordain and Declare, That whatſoever Member of the ſaid Houſe of Peers hath ſo Offended, or hereafter ſhall ſo Offend, as aforeſaid; ſhall be diſabled from having any Voice, or ſitting in the ſaid Houſe of Peers, during this preſent Parliament, until his readmittance ſhall be Approved of, and Conſented unto by both Houſes of Parliament.

Provided alwayes, and it is hereby Ordained and Declared, That whatſoever Member of the Houſe of Commons, that heretofore hath deſerted, or hereafter ſhall deſert the Parliament, and adhere to thoſe that Levy War againſt the Parliament, is, and ſhall be abſolutely diſabled from ſitting in the ſaid Houſe of Commons, during this preſent Parliament.

June 29. The Earl of *Leiceſter* comes from *Oxford.*

The Earl of *Leiceſter*, Lord Lieutenant of *Ireland*, having long attended the Court concerning the Service of that Kingdom, meeting, as it ſeems, not with that Encouragement he expected, left *Oxford*, and came to *London*, but was Ordered into Cuſtody 'till his Circumſtances might be Examined. Alſo Mr. *Bagſhaw*, a Gentleman of the long Robe, and a Member of the Houſe of Commons, from whence he abſented himſelf about the time of the taking of *Briſtol* by Prince *Rupert*, and ſat in the Aſſembly at *Oxford*, being taken by ſome of the Parliaments Forces about *Deddington* in *Oxfordſhire*, was this day brought to the Bar of the Houſe of Commons, where kneeling, it was Ordered he ſhould be Committed for High Treaſon to the Priſon of *Kings-Bench* in *Southwark*, he having been Elected by that *Burrough* to ſerve in Parliament.

And Mr. *Bagſhaw.*

Who is Committed for Treaſon.

July 1. Committees.

An Ordinance enabling the Committees of *Wilts*, *Dorſet*, *Somerſet*, to put ſeveral Ordinances in Execution.

July 3.

An Ordinance for additional Committees in the County of *Lincoln.*

Another Ordinance for putting the Aſſociated Counties of *Suffolk*, *Norfolk*, &c. into a Poſture of Defence.

An. 1644.

July 6. Againſt *Engliſh* Merchants in *Holland.*

A Declaration of the Lords and Commons Aſſembled in Parliament, declaring certain *Engliſh* Merchants in *Holland*, viz. *John Webſter*, and others, to be Incendiaries between the United Provinces, and the Kingdom and Parliament of *England.*

States Ambaſſadours acknowledge the Parliament.

At this time the Ambaſſadors Extraordinary for *the States of the United Provinces* made their Addreſs to the two Houſes of *Weſtminſter*, fully acknowledging, and giving them the Title of the Parliament of *England*; for want of which, their Audience had for divers Months been deferr'd; for theſe Ambaſſadors arrived in *England* on the 17*th.* of *January*, 164$\frac{3}{4}$. and by Order of the Houſes were met and accompanied into *London* by the Earl of *Denbigh*, Sir *Henry Mildmay*, and Sir *William Strickland.* On the ſecond of *February* they ſet out of *London* towards *Oxford*, and on the 11*th.* of that Month had Audience of the King at *Oxford*, and on the 9*th.* of *March* returned back to *London.* On the 14*th.* of *March* they preſented a Letter in *French*, directed to Mounſieur *William Lenthall*, Speaker to the Houſe of Commons, to this effect, *That the Lords States of the United Provinces taking into their ſerious Conſideration the Diſtractions of theſe Kingdoms, had determined ſome time ſince to ſend over their Ambaſſadors, yet through the ſtrong hopes and perſwaſions they had, that theſe Diſtractions would happily be compoſed, ſuſpended for a while their Intentions; but perceiving how far theſe ſad Diviſions are rather daily augmented than any whit abated, and conſidering the great Effuſion of Blood that hath already been ſhed, and is yet likely to be; well knowing alſo the near Intereſt their State hath in the well or ill being of this Kingdom, they the ſaid States had ſent them over to offer their Mediation betwixt the King and his Parliament; and that they having already made their Addreſſes to his Majeſty for that purpoſe, who had declared his gracious Inclinations thereunto, they now came to tender the ſame Service to the Members of the Two Houſes of Parliament, and deſired Audience thereupon.*

States Ambaſſadours Letter.

Which Letter ſeeming by the Title to have no Direction, and by the Matter not fully to acknowledge the two Houſes at *VVeſtminſter* to be the Parliament of *England*, the Commons Ordered the Conſideration thereof to be referred to the Committee of both Kingdoms; the Lords were rather for Committing it to a ſpecial Committee, but at laſt agreed with the Commons.

And after full Conſideration, on *Munday*, *April* the 8*th.* the following Anſwer was returned to the ſaid Ambaſſadors, *viz. That the Parliament was very deſirous to manifeſt to the VVorld both their earneſt deſires of Peace, and the Reſpects they have for the States of the* United Netherlands, *and therefore when the ſaid Ambaſſadors ſhall make it appear, that they come with Commiſſion to Addreſs themſelves to the Parliament of* England, *they ſhall receive ſuch Anſwer as ſhall be fit.*

The two Houſes Anſwer.

Hereupon on the 29*th.* of *April*, the Ambaſſadors ſent a ſecond Letter, expreſſing their willingneſs in what they might poſſibly, to ſerve the *Engliſh* Nation, in order to the Compoſing of the preſent Diſtractions, and that they were for nothing more ſorowfull than that they could not expreſs their deſires herein, in ſo ſatisfactory a way as the Parliament deſired, further deſiring a ſafe Conduct to paſs through the Army to *Oxford*, which was readily granted, and accordingly on the 6*th.* of *May* they ſet forwards thitherwards; Mr. Speaker with other Members of the Houſe of Commons being firſt ſent in the Name of that Houſe to take Leave of, and Complement them,

The States Ambaſſadors go to *Oxford.*

them with Thanks for their Pains, good Will, and Reſpects to the Houſes. 20 *Caroli.*

After which, in the beginning of *June*, General *Eſſex* being with the Parliaments Army near *Oxford*, the ſaid Ambaſſadors came from that City with a *VVhite Flagg* unto his Quarters, and deſired to know if he had Power or Inclinations to Treat for Peace, offering themſelves to be Mediators; to which the Earl return'd Anſwer, that of himſelf he had no Power to Treat, but if they pleaſed to apply themſelves to the Parliament, he was very ſure they would, as alwayes they had done, ſhew themſelves deſirous of Peace, and earneſt ſeekers thereof: whereupon the Ambaſſadors ſoon after came again to *London*; and on the 3*d.* of *July* made Complaint to the Houſes, of a Pamphlet then lately Printed, entituled *A Diſcourſe concerning a true Engliſhman, concerning the Intereſt* England *hath in the Siege of* Graveling; which Town was at that time Beſieged by the joynt Forces of the *Dutch* and *French*: And the Deſign of this Pamphlet (which was writ in a ſmooth inſinuating Politick Stile, the Author ſaid to be a *Jeſuite*,) was to perſwade the Parliament to lend the *Spaniards* aſſiſtance of Shipping for Relieving it; whereupon the matter being referr'd to the Committee for Printing, the hander to the Preſs of the Copy was diſcovered to be *Kilvert* the Notable Solicitor, who for the ſame was Committed to *the Fleet*.

Return to *London.*

On *Saturday*, *July* the 6*th.* (being the next day after the News came of the Defeat of Prince *Rupert* at *Marſton-moor*) the ſaid Ambaſſadors of the States Addreſſed themſelves to the Two Houſes in ſuch Terms as were acceptable; and ſo it was reſolved they ſhould be admitted to Audience, which was done, *Fryday*, *July* the 12*th.* in each Houſe apart, in this manner: They were attended by the Maſter of the Ceremonies firſt to the Door of the Lords Houſe, and then admitted in, and brought to Chairs prepared for them; where they delivered their Embaſſy firſt in *French*, and then a Copy thereof in *Engliſh*, as follows.

They have Audience in the Houſes.

The PROPOSITIONS of the Ambaſſadors of the High and Mighty States General of the *United Provinces*, delivered by them, by Word of Mouth, in both Houſes of the Parliament of *England*, the $\frac{22}{12}$ of *July*, 1644. *&c.*

Right Honourable Lords and Commons,

The Embaſſy from the States General, delivered in both Houſes of Parliament, *July* 12*th.* 1644.

FRom *the very beginning of the Reſtauration of the Liberty of the Republick of the* United Provinces *of the* Netherlands, *the High and Mighty Lords, our Lords, the States General, their chiefeſt VViſhes and Deſires have ever been to ſee that the Kings of* Great Brittain *and theſe Kingdoms might be perpetually maintain'd and preſerved in a good Concord, Peace and Union, by which nothing could befall them, but all Safety and Advantage, and that for three Principal Reaſons.*

Firſt, *That theſe Kingdoms, being the greateſt and ſtrongeſt Body, which having receiv'd and maintain'd the Profeſſion of the true Chriſtian Proteſtant Religion, and Conſerving it ſo well, it might alſo Contribute much, yea by Fame and Reputation it ſelf, to the Conſervation of States, Confederates and Friends, and of all the other Proteſtant Churches, eſtabliſhed and ſpread throughout all* Europe.

An 1644.

Secondly, *That theſe Kingdoms by their Scituation, Commodities, Traffique and Navigation, and their Republique, being ſo nearly combined by their common Intereſt of State, and Religion, our Lords might reſt aſſured, that the Intereſt of the King and theſe Kingdoms, being ſo mightily advanced and conſerved, by the ſame Means thoſe of the* Netherlands *could not but be well conſerved. And,*

Thirdly, *That this Inteſtine Peace, Union and Concord (which Proſperity and Weal ordinarily accompanieth) continuing here, that not only the Kings and Kingdoms ſhould be able to maintain and preſerve themſelves; but that the States Confederate and Friends, or the good Cauſe of the* Proteſtant Religion, *in other parts unjuſtly ſuffering, (as formerly it hath been, and yet this day is too much perceived) they might ever find their Refuge and Aſile, their Succours and their Aid againſt all thoſe, who on the contrary part, of other States and Churches, ſhould undertake to undermine the true Foundation of the Happineſs of theſe Flouriſhing Kingdoms.*

For your Scituation being well conſidered, you are in your ſelves as a World apart, ſeparated from many Inconveniences of the other.

You have your Commodities at Home, not only which are neceſſary, and for your Pleaſure and Delight; but alſo in ſuch plenty, *that you are able to communicate them to other Nations, your Neighbours.*

The Sea doth ſerve you for a Ditch and Bulwark, and your Power by Sea is able to maintain you in your Felicity, and exempt and free you from all forreign Injuries; ſo that the good of your own Conſervation, and the Cauſe of your Evil and Ruine, could not be ſuſcitated, nor found elſewhere, but at home, and within your ſelves.

And certainly, the Kings and Queens formerly have done Notable Aſſiſtances for the Maintenance and Conſervation of the True Religion, and of many States, which had need thereof; among which our Lords do profeſs themſelves as much obliged and bound, as any other.

And the King and theſe Kingdoms ſhall yet, in time, be able to do the like Aſſiſtance, as well for the preſent (now there is ſo great a Neceſſity) as for the future; provided you conſerve your ſelves in that Concord and Union, which heretofore hath made, and ſhall ever make you Mighty and Redoubted.

From hence it is, that the Enemies of the Peace of Chriſtendom, *and their Agents, who long ſince have framed and forged the Deſign of an Univerſal Monarchy of* Europe, *yea of all the World; ſeeing and perceiving with an envious and malicious Eye your former Happineſs, your flouriſhing State, and your Power; and that there was nothing ſo contrary and dreadful to their vaſt Conceptions, as your Oppoſitions; To hurt and weaken, yea to Ruin you, if they had been able, they have heretofore uſed all violence, and the ſtrength of great Fleets and Armies, but in vain, and without ſucceſs.*

They have at laſt not been able to act a better Play, than that which is moſt familiar to them, and which hath helpt them to the Ruine of many great States, which have not been ſo Circumſpect and Prudent, as you are.

Right Honourable,

It is ſo, that quitting Violence, in a profound Peace, which they have with you, and during the time of the ſame, they have ſown among you the Seeds and Weeds of Diſcord and Diſſention, as well in Politicks as Church-Buſineſſes, and ſhall ever foment them, whence they could aſſure themſelves of a certain Profit, what end ſoever the ſaid Diſſentions might take.

And by theſe means, and their accuſtom'd Craft, they have propoſed to obtain that by Inteſtine Troubles, you ſhould weaken your ſelves; and making you leſs mighty and leſs dreadful, and no ways conſiderable, you might ſerve at laſt (which God avert) to the Inglutting of their inſatiable Ambition,

to

20 Caroli.

to the Deſtruction of the True Religion, and of all that which may be dear and recommendable unto you.

As we ſee already brought to paſs in Ireland, *where the Cruelties, Murthers, horrible and unheard of Slaughters, have been perpetrated with effuſion of ſo much Innocent Blood, to the total Deſtruction of the true Proteſtant Religion there, and to the great Danger of the State it ſelf.*

Our Lords ſeeing theſe Miſunderſtandings, Troubles and Miſeries here already grown to ſo great an Extremity; and being ſo highly Intereſſed in your well-being, have eſteemed it fit and timely to ſend us, their Ambaſſadors to this Kingdom, to offer to the King and to his Parliament, our Service and Mediation.

To help, if acceptable, to remove and take away the Jealouſies, which are & might be, and to compoſe the Diſſentions by the mild ways for an amicable Conference.

And our ſaid Lords declare, That they have not been moved hereunto by any Preſumption, or to intrude themſelves in the Buſineſs of a great King, and of theſe Mighty Kingdoms, but only to acquit themſelves of the Office and Duty of good Friends; and alſo to acknowledge, in this Occaſion, the great Obligation, which the King and theſe Kingdoms, have upon our Republique.

Our Lords further do perſwade themſelves, that no other State in the World, but theirs, ſhall be found more fit and acceptable (in their Opinion) to interpoſe it ſelf in the Mediation of an Accommodation, and Reunion between his Majeſty and his Parliament, and to whoſe Interpoſition more Credit might be given, without all ſuſpition: for the Honour, Greatneſs and Proſperity of the King and theſe Kingdoms is, by Reflection, the ſame for our Republique; and, on the contrary, your Evil is to us a very great Affliction, and a moſt ſenſible Evil.

From thence may be taken this firm Aſſurance, that the Aim of our Mediation ſhall not be to recommend an Accommodation and Reconciliation feigned and painted without, nor prejudicial, and not aſſured within; but to procure a true Reunion, ſincere and perfect, founded upon the Baſis of the True Religion and Juſtice, which ſhall re-eſtabliſh reſpectively the good Correſpondence, Confidence, Love, and the Reſpects between the King and his Parliament, and between all the good Subjects of theſe great Kingdoms.

The King hath ſo much approved of the Reaſons and Proffers of our ſaid Lords, that his Majeſty hath accepted on his part our Interpoſition, and hath conſented to a Conference between Commiſſioners to be ſent from both Parties (if you find it good) and that you ſhall chooſe the Place, the Time, and the Number of Perſons, who ſhall be employed in this Action.

Right Honourable,

Now we come unto You, by Command of our Superiors, to make the ſame Proffer of Mediation, and to underſtand whether alſo it may be agreeable unto you.

We have always obſerved, that your good Inclinations have been carried to Peace, if you receive Satisfaction to your Juſt and Reaſonable Demands.

Your Wiſdoms alſo may well judge, that the ways of Arms are not always the ſureſt, *their Succeſſes being very uncertain, and which change face in a moment.*

The good Cauſe which is propoſed, doth not always promiſe an aſſured and certain ſucceſs; for we are all Men, and God ſometimes permits the Good Cauſe to ſuffer for our Sins.

All War is an Affliction and Puniſhment of God, in which we are not to take delight, when we can be freed of it upon honeſt and ſure Terms and Conditions, that the Wrath of God be not longer provoked againſt us.

It is to be conſidered alſo, if no Reaſonable Accommodation be found, that the Deciſion of your Differences by Arms is not to be expected ſo

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An. 1644.

ſoon; but rather on the contrary, that it ſhall be the Cauſe of perpetuating the VVars in theſe Kingdoms; *becauſe the* King *ſhall ever Live in his Royal Poſterity, and the Parliament never dies, to ſuſcitate alwayes the former evil Succeſſes by new VVars, which at length ſhall cauſe the total Ruine and Deſtruction of State and Religion, only to the great Advantage of the Common Enemy of our Faith.*

Right Honourable,

If it pleaſe you to make uſe of our Interceſſion, unto which the King *Conſented at our firſt Propoſition and Offer, we promiſe you to proceed and labour in it with all Sincerity and Fidelity, as Ambaſſadors ſent by your beſt Friends and Allies, making profeſſion of one and the ſame Religion.*

And we ſhall ſpare no Endeavour, Travail, nor Pain (by the good Will which his Majeſty hath declared to us, and by your good Intention) to make the Affections of our Lords ſucceed to ſuch Perfection, that the King and his Parliament, and all good and Loyal Subjects of the King, *and Lovers of their Country, ſhall find their deſired Contentment and Tranquility with all Aſſurance.*

Right Honourable,

VVe muſt yet adde, that your Troubles and VVars, trouble and endanger us alſo; for many Merchants and Maſters of Ships daily preſent themſelves to our Lords, the States General, *and to us here, with their Complaints, that your Men and Ships of War trouble their Courſe of Trading and Traffique, and take their Ships and Goods without any juſt Cauſe, and without Reaſon and any Right at all; as may be ſeen by a* Memorandum *hereunto annexed, which you are deſired to take notice of, and to give Order for Reſtitution and Reparation of the* Damages *ſuſtained for the preſent, and to take ſuch Courſe, that for the future the like Exceſſes may be prevented.*

And if any Doubts *be found in the ſaid* Memorandum, *that it may pleaſe you to appoint us ſome Commiſſioners to ſettle the Points of which we are Complaining, as ſhall be found to appear with Reaſon.*

Having delivered this to the Lords, they were by the Maſter of the Ceremonies conducted to the Commons, where they did the ſame: And in the Commons Houſe, Forty eight Colours taken at the Battel of *Marſton-Moor*, were laid upon a Side-Table, and expoſed to view all the while the Ambaſſadors were in the Houſe. The Speakers of each Houſe now only return'd them ſome General Complements, promiſing an Anſwer in convenient time.

But by reaſon of other intervening Affairs, the matter ſlept, or was deferr'd until the 10*th.* of *December* following; and then the Ambaſſadours having Importuned an Anſwer, were again admitted in State, and received an Anſwer from both Houſes to this effect: — *That the Parliament of* England *had conſidered of, and do very ſenſibly Acknowledge the great Love and Reſpect of the High and Mighty* States General of the United Provinces *towards this Nation, in making tender of, and ſhewing their readineſs to afford their Aſſiſtance and Mediation for Compoſing the preſent Differences in* England, *and that they do accept it with all Thankfullneſs, deſiring the Continuance of all Amity and Friendſhip: But in regard Propoſitions for Peace were ſet on foot before, and that there is likewiſe a Conjunction of the Kingdom of* Scotland, *and ſo a Neceſſity of their Concurrence in what ſhall be Endeavour'd, which cannot be had in point of time; they therefore deſire the ſaid States Ambaſſadors ſhould underſtand ſo much by way of Anſwer.*

The Parliaments Anſwer.

An

20 *Caroli.*

July 8. Exciſe on ſeveral Commodities.

An Ordinance concerning a New Exciſe upon Allum, Copperas, *Monmouth* Caps, and Hats of all ſorts; Hops, Saffron, Starch, and all manner of Silks or Stuffs, whereby it was Ordained, that the Goods and Commodities following, made or growing within this Kingdom, ſhall pay by way of Exciſe upon the firſt Sale, and by the firſt Grower and Maker thereof, for every Value of 20 *s.* and ſo proportionably for a greater or leſſer Value, the Sums following, *viz.*

Every 20 *s.* worth of Allum to be paid by the firſt Buyer 6 *d.*
Of Copperas *Engliſh* 12 *d.*
Of *Monmouth* Capps 12 *d.*
Of Hats, to be paid by the Maker 12 *d.*
Of Hopps, to be paid by the Planter 6 *d.*
Of Saffron and Starch 12 *d.*
Of Silks and Stuffs, and Upholſtery Ware 6 *d.*
Of Tin 12 *d.*
Of Wood and Iron 6 *d.*
Of Tobacco-Pipes 4 *d. per* Groſs.

This Ordinance to continue for one Year from the 24*th.* of *June*, 1644.

July 10.

An Ordinance for Payment of 3000 *l.* out of the Exciſe to the Forces in *Lancaſhire.*

An Order for Preſſing five hundred able Souldiers within the Bills of Mortality for Service at Sea.

An Ordinance for ſettling the Militia in the County of *Leiceſter.*

An Ordinance for Explaining a former Ordinance for taking and receiving the Accounts of the Kingdom.

July 12. A new Army raiſed.

An Ordinance for Raiſing of an Army of 10000 Foot, 1700 Horſe, and 1350 Dragoons, out of the Counties of *Eſſex*, *Suffolk*, *Norfolk*, *Hertford*, *Huntington*, *Cambridge*, *Iſle of Ely*, *Berks*, *Buckingham*, *Northampton*, *Warwick*, *Gloceſter*, *Wilts*, *Suſſex*, *Surry* and *Hampſhire*, to be ready to March by the 20*th.* of this preſent *July*, and to be employed about *Oxford*, or ſuch other places as by the two Houſes or Committee of both Kingdoms ſhall be thought fit for the ſecurity of the ſaid Counties.

Greenland-Houſe ſurrendred.

This day alſo *Greenland-Houſe*, which had for ſome time been Beſieged by the Parliaments Forces, who had lately been reinforced by Major General *Brown*'s coming thither, was Surrendered to the ſaid *Brown* by Col. *Hawkins* the Governour, on theſe Conditions, *viz.* 1. To deliver up the Houſe, with all the Ammunition, Ordinance and Proviſion therein. 2. The Officers to march away with their Horſes and Swords, the Common Souldiers with their Arms, Colours and Baggage, and to be Convoyed to *Nettlebed*, and all Priſoners on each ſide to be diſcharged: There were found in the Houſe five Pieces of Ordnance, thirty Barrels of Powder, good ſtore of Proviſion, and much rich Houſhold-ſtuff.

July 15.

An Ordinance for raiſing and maintaining of Horſe and Foot, for the Preſervation of the County of *Wilts* and Garriſon of *Malmsbury.*

July 18. *Wilney Ferry* taken.

The Lord *Grey* of *Grooby* and Sir *John Gell*, having joyned their Forces between *Derby* and *Leiceſter*, reſolv'd to attempt a Garriſon of the King's at *Wilney-Ferry*, to which purpoſe they got about ſixty Cartload of Hay, and other Combuſtible Stuff, which they drove up to the Works of the Garriſon, and brought up their Souldiers behind them in ſecurity. Then they ſet the Hay on Fire, the Smoak whereof being driven by an high Wind, fell upon the Garriſon, ſo grievouſly annoy'd them within, that they were ſoon driven from their Works, and Surrendred

An. 1644.

rendred upon Quarter for Life: There were taken Capt. *Robinſon* the Governour, and two other Captains, and about 70 Common Souldiers, and 2 Drakes.

An Ordinance for the Proviſion of Turf and Peat for the Cities of *London* and *Weſtminſter*, and the Suburbs thereof.

July 20. For Turf to ſupply *London* with Firing.

THe Lords and Commons in Parliament Aſſembled taking into their ſerious Conſideration the Neceſſity of the timely Proviſion of Fewel, for the Cities of London *and* Weſtminſter, *and places within the Lines of Communication and Bills of Mortality, heretofore furniſhed with Coals from the Town and Parts near* Newcaſtle; *and to the end the ſcarcity which is like to be of that kind of Fewel, may in part be ſupplyed with Turf and Peat, wherewith a good Accommodation may be had forth of the Neighbouring Parts at reaſonable Rates and Prizes: Have Ordained, and be it Ordained by the ſaid Lords and Commons, that it ſhall and may be lawfull, and full Power and Authority is hereby given and granted to the Lord Mayor, Aldermen, and Commons of the City of* London, *in Common Council Aſſembled, to Nominate and appoint a convenient Number of Perſons, which ſhall hereby have Power and Authority by themſelves, their Agents and Aſſiſtants, to enter into, and get and digg any quantity of Turf or Peat, in or upon any incloſed Paſtures, Commons, or Waſt-grounds (not being Gardens, Orchards or Walks) whether now or hereafter ſequeſtred, or the Lands belonging to the King or Queens Majeſties, or to any Biſhop, or Dean and Chapter, out of which any ſuch Turf or Peat may be gotten and digged, and with conveniency Convey'd by Water or Land, to the ſaid Cities and Places aforeſaid.*

And be it likewiſe Ordained by the ſaid Lords and Commons, That the Agents to be appointed by Virtue of this Ordinance, ſhall have Power and Liberty to Aſſay and make Trial for Turf or Peat in the Commons and Waſte grounds of any Perſon or Perſons whatſoever, not being Delinquents, within any Ordinance of Parliament, ſo as before their farther Proceeding in Cutting or Digging, they firſt agree with the Leſſee or Owner, and if he ſhall prove refractory, the Damages to be Aſſeſſed by the Committee.

Which Fewel ſo gotten, to be diſpoſed for furniſhing the Cities and Places aforeſaid at ſuch eaſie and indifferent Rates, reſpecting the Pains and Charges of getting the ſame, as ſhall be ſet down by a Committee of the Common Council of London, *who ſhall have Power to Order and Regulate the diſtribution thereof, wherein Care to be taken that the poorer ſort of every Pariſh be firſt ſerved, if they ſhall deſire it, and afterwards the other degrees and ranks of People,* &c.

July 23. Mr. *Denzil Hollis*'s Fine to be repaid.

It was Ordered by the Houſe of Commons, that whereas Mr. *Denzil Hollis* was wrongfully Fined and Impriſoned for his Fidelity to his Country, and aſſerting the Publick Rights and Liberties, which Fine unjuſtly impoſed by the *Star Chamber*, he was forced to pay into the *Exchequer*, the Summ of the ſaid Fine ſhould be allowed to be Repaid him out of the Kings Revenue.

July 26.

Voted that there be 18 of the King's beſt Ships, and 10 Merchantmen of good Burthen, beſides other ſmall Frigats, rigged and made ready for the Winter-Guard of the Seas.

Aug. 5. *French* Ambaſſador.

The *French* Ambaſſador who had been ſeveral Months in *England*, and made divers Applications to the two Houſes, which they would not accept, becauſe wanting that Title in the Direction, which they expected, did this day Addreſs a Letter thus ſuperſcribed, *To the Commons Aſſembled in the Parliament of* England *at* Weſtminſter.

Die

20 *Caroli.*

Die Veneris, 16 *Aug.* 1644.

An Ordinance of the Lords and Commons Aſſembled in Parliament, for Execution of Martial Law, to continue for the ſpace of four Months.

Auguſt 16. *Ordinance for executing Martial Law.*

BE it Ordained by the Lords and Commons Aſſembled in Parliament, and by the Authority of the ſame, that *Robert* Earl of *Eſſex*, Captain-General of the Forces raiſed by the Authority of Parliament, *Algernoon* Earl of *Northumberland*, *Henry* Earl of *Kent*, *Philip* Earl of *Pembrook*, *William* Earl of *Salisbury*, *Oliver* Earl of *Bullingbrook*, *Edward* Earl of *Mancheſter*, *Baſil* Earl of *Denbigh*, *William* Lord Viſcount *Say* and *Seal*, *Philip* Lord *Wharton*, *Dudley* Lord *North*, *William* Lord *Grey* of *Werk*, *John* Lord *Roberts*, *Philip* Lord *Liſle*, Sir *William Waller*, Sir *Arthur Haſlerig*, Sir *John Corbet*, Sir *John Bamfield*, Sir *Henry Heyman*, Colonel *Alexander Popham*, Colonel *Stapeley*, Colonel *Whitehead*, Colonel *Morley*, Colonel *Purefoy*, Colonel *Ven*, Edward *Bainton* Eſq; Colonel *William Jephſon*, Colonel *Alexander Rigby*, *Thomas Arundel* Eſq;, Serjeant-Major-General *Skippon*, Sir *Nathaniel Brent*, Doctor *Thomas Eaton*, *John Bradſhaw* Eſq;, *William Steel* Eſq; Sir *James Harrington*, Colonel *Brown*, Colonel *Weſt*, Colonel *Charles Fleetwood*, Colonel *Williams*, Colonel *Turner*, Colonel *Manwaring*, Colonel *Whitchcote*, Colonel *Pindar*, Lieutenant-Colonel *Welden*, Lieutenant Colonel *Underwood*, Lieutenant-Colonel *Wilſon*, Major *Salloway*, Major *Tichborn*, Colonel *Humphrey*, Colonel *Player*, Colonel *Prince*, Colonel *Harſnet*, Major *Camfield*, *William Molins*, Colonel *Owen*, Lieutenant Colonel *Web*, Lieutenant-Colonel *Bradley*, or any twelve, or more of them, whereof ſuch of the Members of either Houſe of Parliament, as have Commiſſions and Commands in any of the Armies or Garriſons, and Sir *Nathaniel Brent* always to be three, ſhall be Commiſſioners and ſhall have full Power and Authority to hear and determine all ſuch Cauſes, as belong to Military Cognizance, according to the Articles in this preſent Ordinance mentioned, and to proceed to the Trial, Condemnation and Execution of all Offenders againſt the ſaid Articles, and to Inflict upon the Offenders ſuch puniſhment, either by Death, or otherwiſe corporally, as the ſaid Commiſſioners or the major part of them, then preſent, ſhall judge to appertain to Juſtice, according to the nature of the Offence, and Articles here enſuing.

I. No Perſon or Perſons whatſoever ſhall from henceforth voluntarily repair to, or go from the Cities of *London* and *Weſtminſter*, or from any parts of the Kingdom, under the power of the Parliament unto the Perſon of the King or Queen, or Lords of the Council abiding with Him, or Her, or to any Commander or Officer of the King's Army; or ſhall give or hold any Intelligence by Letters, Meſſages or otherwiſe, with any in Arms againſt the Parliament without conſent of both Houſes of Parliament, or the Committee appointed by Ordinance of Parliament for managing the War, the Lord-General of the Forces raiſed by the two Houſes, or from the reſpective Officers, that ſhall command, in Chief any of the ſaid Forces, upon pain of Death, or other corporal Puniſhment at Diſcretion.

II. Whoſoever hath, or ſhall plot, contrive, or endeavour the Betraying, Surrendring or Yeilding up to the Enemy, or hath or ſhall, contrary to the Rules of War, Surrender, Yield up or Betray any Cities, Towns, Forts, Magazines or Forces, which now are, or hereafter ſhall be under

An. 1644.

the power of the Parliament ſhall be puniſhed with Death.

III. No perſon or perſons whatſoever not under the power of the Enemy, ſhall voluntarily Relieve any perſon, being in Arms againſt the Parliament knowing him to have been ſo in Arms, with any Money, Victuals or Ammunition, upon pain of Death, or other corporal puniſhment at Diſcretion, nor ſhall voluntarily and knowingly harbor or receive any being in Arms, as aforeſaid upon pain of puniſhment at diſcretion.

IV. No Officer or Soldier ſhall make any mutinous Aſſemblies, or be aſſiſting thereunto, upon pain of Death.

V. No Guardian or Officer of any Priſon ſhall wilfully ſuffer any Priſoner of War to eſcape under pain of Death, or negligently under pain of Impriſonment, and farther puniſhment at diſcretion.

VI. Whoſoever ſhall voluntarily take up Arms againſt the Parliament, having taken the National Covenant, ſhall dye without Mercy.

VII. Whatſoever Officer or Commander hath or ſhall deſert their Truſt, and adhere to the Enemy, ſhall dye without Mercy.

And it is hereby farther ordained by the Authority aforeſaid, that the ſaid Commiſſioners or any Twelve or more of them, whereof ſuch of the Members of either Houſe of Parliament as have Commiſſions and Commands in any of the Armies or Garriſons, and Sir *Nathaniel Brent* always to be three, ſhall be Authorized from time to time, ſo often as they ſhall think fit, or ſhall be ordered thereunto by both, or either Houſe of Parliament to ſit in ſome convenient place within the Cities of *London*, *Weſtminſter*, or Lines of Communication, and to appoint a Judge-Advocate, a Provoſt-Martial, and all other Officers needful. And it is hereby farther ordain'd; That all Mayors, Sheriffs, Juſtices of Peace, Conſtables, Bailiffs and other Officers ſhall be Aiding and Aſſiſting to the ſaid Commiſſioners in the Execution of the Premiſſes; and that the ſaid Commiſſioners and every of them, and all and every other perſon and perſons, that ſhall be Aiding and Aſſiſting to them in the Execution of the Premiſſes, ſhall be ſaved harmleſs and Indemnified for what they ſhall do therein, by Authority of Parliament. Provided nevertheleſs, that no Member of either Houſe of Parliament, or Aſſiſtants of the Houſe of *Peers*, ſhall be Queſtioned or Tried before the Commiſſioners appointed by vertue of this preſent Ordinance, without Aſſent and Leave firſt had and obtained of both Houſes of Parliament.

And be it alſo provided, that this preſent Ordinance, and the Authority hereby given, and appointed to the perſons hereby nominated, ſhall endure and have continuance for four months from the making hereof.

Provided, that this Ordinance, for any Offence hereafter to be committed, ſhall not take place or be of Force, until Eight Days after the Publication hereof, any thing in this Ordinance to the contrary notwithſtanding.

Die Lunæ, 16 September, 1644.

Additional Article to the Ordinance for Martial Law.

RESOLVED by the Lords and Commons in Parliament Aſſembled, That one of the Articles for the *Commiſſioners of Martial Law* ſhall be to have Power, and they are hereby Authorized to proceed againſt ſuch

such Officers and Soldiers as have departed, or shall depart from their Colours, without leave, according to my Lord General's Articles. 20 *Caroli.*

And farther ordered, that the Committee for the *Militia*, have notice of this Order, who are hereby injoyned to give Directions to the several Courts of Guards, to Apprehend such of the said Officers and Soldiers, as they come to the Courts of Guards; and this Order is to be Printed and Published.

Ordered and Declared by the Lords and Commons, That all Officers and Soldiers, that are in, and about the Cities of *London* and *Westminster*, and are under and have Command abroad, and do not depart the same by *Friday* next, and go to their several Colours and Charges, shall be proceeded against by the Commissioners for Martial Law, according to my Lord General's Articles, who have power hereby to proceed against them accordingly, excepting against such as are to attend by Order of Parliament.

The Committee of the Militia is hereby Ordered, to publish this Order forthwith, upon Beat of Drum.

Ordered by the Lords Assembled in Parliament, that these Orders be forthwith Printed and Published.

J. Brown, Cler. Parliament.

August 19. *Western Association.*

An Ordinance for Associating the Counties of *Wilts*, *Dorset*, *Somerset*, *Devon* and *Cornwall*, and the Cities of *Bristol* and *Exeter*, and the Town and County of *Pool*; and for the putting them into a posture of Defence.

August 19. *Propositions for Peace Transmitted to the Lords.*

The House of Commons having been long upon the Consideration of propositions to be offered to His Majesty for Peace, and having sent what they had prepared to the Parliament of *Scotland* who return'd the same with some few Verbal Alterations; They were this day again Read in the House, and Consented to, and carried up to the Lords for their Concurrence.

August 24.

It is this day Ordered by the Lords and Commons Assembled in Parliament, That the Serjeants and Councellors at Law in the several Counties of this Kingdom within the power of Parliament shall execute the Commissions of *Oyer* and *Terminer*, and Goal Delivery wherein they are nominated Commissioners, Notwithstanding any Statute or Clause therein to the contrary.

Oyer *and* Terminer.

Sewers.

It is this day ordered and ordained by the Lords and Commons Assembled in Parliament, That Commissions of *Sewers* shall be granted by the Commissioners of the Great Seal for the several Counties of this Kingdom within the power of the Parliament. Although the Lord Treasurer or Lord Chief Justices be absent.

Excise on Herrings.

An Ordinance for a New Impost or Excise upon Herrings, Three Shillings a *Last* (which is Ten Thousand Herrings) by the Taker, and Five Shillings a *Last* by the first Buyer; To go towards defraying the Charge of the Men of War, which are to Convoy them whilst they are Fishing.

August 27. *Passes to be granted by the Speaker.*

It is this day Ordered by the Commons Assembled in Parliament, That Mr. *Speaker* shall have power to grant Passes to such as shall come in, with Limitations of Ten Days for them to come in; And that the Guards shall be Injoyned to bring the said persons to Mr. *Speaker* immediately upon their coming to the Ports or Forts; And that he shall

An. 1644.

send them forthwith to the Committee of *Goldſmiths-Hall* and *Haberdaſhers-Hall*; And that Mr. *Speaker* ſhall appoint Duplicates to be kept of all ſuch Paſſes as he ſhall ſo grant.

Auguſt 30. *Free Trade.*

An Ordinance declaring it lawful for all Foreigners and Strangers in Amity with this Kingdom to have Free Trade and Commerce to and from the City of *London*, and all other Ports and Places within any of His Majeſties Dominions ſtanding right, and keeping Fidelity to the King and Parliament.

Auguſt 31.

An Ordinance about taking the Accounts of the Exciſe.

Septemb. 18. *Miniſters Petition.*

Divers Miniſters of the City of *London* preſented the following Petition to the Houſe of Commons.

To the Honourable the Commons Houſe of Parliament.

The Humble Petition of the Miniſters of the City of London.

Humbly ſheweth,

THat your Petitioners with Joyfulneſs have entertain'd, and with all Thankfulneſs do acknowledge the frequent and affectionate expreſſions of your pious Reſolutions for the ſettling of this Churches peace, eſpecially in the firſt Remonſtrance, wherein you are pleaſed to declare, That it is far from your thoughts, purpoſe or deſire to let looſe the Golden Reins of Diſcipline and Government in the Church; To leave private perſons or particular Congregations to take up what form of Service they pleaſe; as likewiſe in the late National Covenant, wherein both Houſes of Parliament, and the three Kingdoms ſtand ſolemnly engaged to the Moſt High God, for a full Reformation and Uniformity in Doctrine, Worſhip, Diſcipline and Government, and in Convening an Aſſembly of godly and Learned Divines for that End.

Yet notwithſtanding, ſore are the preſſures under which we groan; Give us leave therefore, we beſeech you (in purſuance of our National Covenant) to ſigh out our Sorrows at the Feet of this Honourable Senate.

Through many Erroneous Opinions, ruinating Schiſms, and damnable Hereſies (unhappily fomented in City and Country) the Orthodox Miniſtery is neglected; the People ſeduced; Congregations torn aſunder; Families diſtracted; Rights and Duties of Relations National, Civil and Spiritual ſcandalouſly violated; the power of Godlineſs decayed; Parliamentary Authority undermined; fearful Confuſion introduced; imminent Deſtruction threatned, and in part inflicted upon us lately in the Weſt.

May it therefore pleaſe your Wiſdoms (as a Soveraign Remedy for the Removal, as we humbly conceive, of our preſent Miſeries, and prevention of their further progreſs) to expedite a Directory for Publick Worſhip, and to accelerate the Eſtabliſhment of a pure Diſcipline and Government (according to the Word of God and the Example of the beſt Reformed Churches) and to take away all Obſtructions that may impede and retard our humble deſires,

And your Petitioners ſhall ever pray, &c.

Which being Read, the Petitioners were called in, and had the Thanks of the Houſe.

An

20 Caroli.

An Ordinance for Raiſing and maintaining of Horſe and Foot for Reducing and continuing the County and City of *Worceſter*, into, and under the Obedience and Service of the King and Parliament. *Septemb.* 25.

An Ordinance for maintaining the Forces of the ſeven Aſſociated Counties under the command of the Earl of *Mancheſter*, by a weekly payment upon the ſaid Aſſociated Counties to begin the firſt day of *September*, and to continue for four Months next enſuing. 26.

An Ordinance for mitigation of the Exciſe upon ſtrong Waters. 27.

An Ordinance for the continuance of a former Ordinance concerning the Exciſe. 28.

An Order of the Lords and Commons aſſembled in Parliament for Raiſing one Thouſand one Hundred Horſe for his Excellency the Earl of *Eſſex*. 30.

Another Ordinance for 3000 l. for Sir *Thomas Middleton*.

An Ordinance for a weekly Aſſeſsment on the County of *Gloceſter*. *October* 2.

An Ordinance for Ordination of Miniſters *pro tempore* within the City of *London*, whereby Twenty Three Miniſters (Ten of the Aſſembly, and Thirteen of the City) or any Seven of them are to Ordain; And if any Preach, or exerciſe the Miniſterial Office, that ſhall not be Ordained, or thereunto allowed by Seven of the ſaid Miniſters, they ſhall be puniſh'd. Ditto *For Ordaining of Miniſters*

An Ordinance for ſending forth Five Regiments out of the City of *London*, and parts adjacent. *October* 4.

A great Fire happened at *Oxford*, whereby a great Number of Houſes, and extraordinary Proviſions of Wood, Hay, Corn, *&c.* ſtored up for the Winter were conſumed; But none of the Colledges hurt. *October* 6. *Fire at* Oxford.

Colonel *Urrey* formerly imploy'd by the Parliament, but deſerting them at that time Eſquire *Hambden* was ſlain at *Chalgraveſield*, had a mind now alſo to quit the Kings Service, and had procured His Majeſties paſs to Travel into *Denmark*, and endeavoured to obtain the like from General *Eſſex*, but in the mean time was taken by ſome of *Wallers* Forces and ſent up to *London*. *October* 7. *Col.* Urrey.

This was the firſt day the Court Martial ſat at *Guild-Hall*, the Earl of *Denbigh* Preſident, and Mr. *Mills* Advocate. The Firſt they Tryed was Captain *Syppins*, for endeavouring to betray the Iſle of *Guernſey*, in the power of the Parliament to the Enemy; For which he was condemned to dye; But afterwards by the mediation of Major General *Skippon*, Reprieved. *October* 8. *Court Martial Sits, and Condemns Capt.* Syppins.

The next was one *Francis Pit* of the Pariſh of *Wolverhampton* in the County of *Stafford* Yeoman, Aged 65 years, and one that (as he ſaid at his Execution) had been a *great Profeſſor*; He held a Farm for Life of one Colonel *Leviſon*, a *Papiſt* Governour of *Dudley* Caſtle, who prevailed with him, having ſome occaſions to go frequently to *Ruſhall-Hall*, a Garriſon of the Parliaments, to carry a Letter to Captain *Juthill* the Governour there, offering him 2000 l. if he would betray and ſurrender that Garriſon; To which *Juthill* ſeemed to Conſent, and this *Pitt* often went between them, till at laſt *Tuthill* having by this Negotiation got ſome Priſoners releas'd, ſeized *Pitt*; notwithſtanding which a party from *Leviſon* came up according to the Agreement, and faced *Ruſhall-Hall*, but inſtead of being admitted, had two Drakes diſcharg'd upon them, and ſome kill'd. Francis Pitt *Condemned.* *His Crime.*

This

An. 1644.

This *Pitt* confeſſed the whole matter, and being on the 12th. of *October* brought to Execution in *Smithfield*, made a long Speech to the People, was very large in acknowledging his Sins, expreſs'd his ſorrow for attempting the Fact for which he was to ſuffer, and prayed very fervently and devoutly.

The third Condemned was one *William James* a Foot Soldier for running away from his Colours, and was Executed at the ſame time with *Pitt*.

October 9. *Supply for* Reading *and* Abbington.

The Houſe of Commons taking into Conſideration the great want of Money for ſupply of the Forces at *Reading* and *Abbington*, Ordered that the Kings Plate, ſhould be imployed to the beſt Advantage as Security for Raiſing of Three Thouſand pound towards paying the ſaid Forces. And that ſuch Plate amongſt the *Regalia* as had Crucifixes or other ſuperſtitious Pictures on it, ſhould be diſpoſed of for the Advantage of the State; But the Lords oppoſed the ſame.

October 12.

An Ordinance for Raiſing 22000 l. for the Advance and Maintenance of the Forces to be ſent forth for the preſent Expedition from the City of *London* and Liberties thereof.

Another Ordinance for a weekly Aſſeſſment upon the County of *Northampton*.

October 18. *Aſſeſſement for the* Britiſh *Army in* Ireland.

An Ordinance for an Aſſeſſment through the Kingdom of *England* and Dominion of *Wales*, for the preſent Relief of the *Britiſh* Army in *Ireland*; Reciting That the Lords and Commons in Parliament Aſſembled having formerly (after great Sums of Money had been raiſed by ſeveral Acts of Parliament) reſorted to the Charity and Benevolence of well-affected Perſons for rhe Supply and Releif of the diſtreſſed Proteſtants in *Ireland* and the Armies which have been ſent hence, and raiſed there for their Defence againſt the Bloody Rebels of that Kingdom, Though the ſame hath not taken that effect which was intended, by reaſon of the ſlack proſecution of the War in ſome Provinces, and the Ceſſation of Arms ſubmitted unto by ſome of the Forces in the other Provinces; yet now finding that thoſe Forces in ſome of the Provinces, who have hitherto oppoſed the Ceſſation, and ſome others who did ſubmit thereunto, are now reſolved, and have declared themſelves to proceed in a more vigorous proſecution of the War, ſo as they may be ſupplied from this Kingdom with a neceſſary Subſiſtence; Have thought fit for a convenient and certain Proviſion to ſupport the *Brittiſh* Forces of Horſe and Foot, raiſed in the Provinces of *Ulſter*, *Munſter*, and *Connaugh*, in ſuch a way as may procure Credit for the ſame, To ordain, and be it ordained, That for the Intents and Purpoſes aforeſaid, the ſeveral Weekly Sums hereafter in this Ordinance mentioned, ſhall be Charged, Rated, Taxed, and Levyed upon all and every the ſeveral Counties, Cities, Towns, Liberties, Places, and Perſons hereafter mentioned, according to the Proportions, Rates, and diſtributions in this preſent Ordinance expreſſed, the ſame to be paid Weekly to the ſeveral Collectors to be appointed for the Receiving thereof, and ſo to continue for the ſpace of 12 Months, from the firſt day of *Sept.* 1644. That is to ſay

Upon the City of *London* the weekly Sum of 300 *l.*

Upon the County of *Middleſex*, and City and Liberties of *Weſtminſter*, the weekly Sum of 125 *l.*

And ſo on particularly naming and rating all the Counties of *England* and *Wales*, the whole amounting to 4045 *l.* —3 *s.* —10 *d.* *per* Week.

Die

20 *Caroli.*

Die Jovis 24. October 1644.

An Ordinance of the Lords and Commons assembled in Parliament; Commanding that no Officer or Souldier either by Sea or Land, shall give any Quarter to any *Irish* Man, or to any *Papist* born in *Ireland*, which shall be taken in Arms against the Parliament in *England*.

No Quarter to Irish. *October* 24.

THE *Lords and Commons Assembled in the Parliament of* England, *do declare, that no Quarter shall be given to any* Irish *Man, nor to any* Papists *born in* Ireland, *which shall be taken in Hostility against the Parliament, either upon the Sea, or within this Kingdom, or* Dominion *of* Wales, *And therefore do order and ordain, That the Lord General, Lord Admiral, and all other Officers and Commanders both by Sea and Land, shall except all* Irish *Men, and all* Papists *born in* Ireland, *out of all Capitulations, Agreements, and Compositions hereafter to be made with the Enemy, and shall upon the taking of every such* Irish *Man or* Papist *born in* Ireland *as aforesaid, forthwith put every such Person to death. And it is further ordered and ordained, That the Lord General, Lord Admiral, and the Committees of the several Counties, do give speedy Notice hereof, to all subordinate Officers and Commanders by Sea and Land respectively, who are hereby required to use their utmost Care and Circumspection, that this Ordinance be duely executed; And lastly, the Lords and Commons do declare, That every Officer and Commander by Sea or Land, that shall be remiss or negligent in observing the Tenor of this Ordinance, shall be reputed a Favourer of that bloody Rebellion of* Ireland, *and shall be liable to such condign Punishment as the Justice of both Houses of Parliament shall inflict upon him.*

An Additional Ordinance touching the putting of the County of *Middlesex* into a Posture of Defence. *October* 25.

An Order of the Lords and Commons assembled in Parliament for a Collection for maimed Soldiers. *Novemb.* 4.

An Ordinance constituting Sir *Nathaniel Brent* Judge of the Prerogative Court of *Canterbury*, whereby he is Ordered and Authorized to have, hold, use, and exercise the said Office with the Appurtenances, and that all Processes, Probates of Testaments, Letters of Administration, and other things whatsoever, which shall pass the Seal of the Court, shall pass in the Name and Stile of the King, and with the Test of the said Sir *Nathaniel*; And that the said Sir *Nathaniel Brent* in the Execution of his said Office, shall have in the Seal of his said Office, the King's Arms decently set with these Characters ingraven about it, [*SIGILLUM CURIÆ PRÆROGATIVÆ*] and shall use no other Seal for the said Office. 5. Brent *to be Judge of the Prerogative Court.*

An Ordinance to Enable the Associated Counties, with the County of *Northampton*, to make such Works as shall reduce the Town of *Crowland* to the Obedience of King and Parliament. *Novemb.* 7.

At this time the Lord *Macguire* and *Hugh Oge Mac* Mahone Esquire were first brought upon their Tryals; The Bills against them being this day found by the Grand Jury. And though the former by reason of his Plea of Peerage was not Executed till some Months after, yet I shall here together set down the whole Story of them both. 11. *The Lord* Macguire & Mac Mahone *brought to Trial.*

These Gentlemen were two of the Principal Contrivers of the *Irish* Rebellion, and Massacre of the Protestants in that Kingdom; and taken upon the first Discovery *October* 22, 1641. at *Dublin*, being come *Their Story.*

An. 1644. come up thither on purpoſe to ſurprize the Caſtle, the next day (the time appointed for the general Inſurrection;) *Mac Mahone* upon his firſt Apprehenſion freely Confeſſed, and boldly avowed the Plot; But *Macguire* would then acknowledge nothing; But on the 26th of *March* following, being examined before the Lord *Lambert* and Sir *Robert Meredith* Chancellor of his Majeſties Court of Exchequer, He own'd and ſet forth much of the Conſpiracy, which Examination you have before in the firſt Chapter relating to *Ireland*. About *July* 1642. They were ſent over into *England*, and Committed to the Tower, And by means of the multiplicity of Affairs wherein the two Houſes were involved, and the difficulty of having the Witneſſes againſt them from *Ireland*, they continued there in Cuſtody till *Saturday* the 17th of *Auguſt* 1644. And then by Confederacy with two Prieſts that belonged to the *Spaniſh* Ambaſſador, and one *Mrs. Leviſton* over againſt the *New Exchange* in the *Strand*, in whoſe Houſe the *French* Agent lay, They having got a ſmall Steel Saw, therewith in the Night ſaw'd aſunder the Door of their Chamber, which was above two Inches thick, and ſo with Cords got over the Tower-wall, and ſwam over the Ditch; Whereupon the Parliament ſet forth an Order for their Apprehenſion, promiſing 100 *l.* to any that ſhould bring them in, or either of them, Dead or Alive; And that whoſoever ſhould harbour or releive them, ſhould be proſecuted as Traitors.

Their Eſcape.

Retaken.

No News was heard of them till the 19th of *September*, and then they having got Lodgings in a Conſtable's Houſe in *Drury Lane*, and one of them looking out of the Window or Balcony to call a Woman that cryed Oyſters, it happen'd at that inſtant a Servant of Sir *John Clotworthy's* eſpyed him, and inſtantly gave notice to his Maſter and the Lieutenant of the Tower, who came and ſeiz'd them, and carryed them back to the Tower; Mrs. *Leviſton's* Room was alſo ſearcht and She taken into Cuſtody, but becauſe the *French* Miniſter had Lodgings in her Houſe, to prevent any occaſion of Offence, a declaration was drawn up to give his moſt Chriſtian Majeſty ſatisfaction touching this Affair.

This breaking Priſon put the two Houſes upon expediting their Tryal; And the Bill being found *November* 11th, on the 13th they were Arraigned at the King's Bench Bar; The Indictment Charging, *That they the ſaid* Hugh Mac Mahone *Eſquire, and* Conor *alias* Cornelius Macquire *Eſquire, together with Sir* Phelim O Neal, Philip O Riley, Roger Moor, Roger Macguire *Eſquires*, Toole O Conley *Clerk* (*being a* Roman *Prieſt*) *and divers other perſons falſe Traitors unknown, as falſe Traitors againſt the Kings* Majeſty *their Supream Leige Lord, not having the fear of God in their Hearts, nor conſidering their Duty or Allegiance; But being ſeduced by the Inſtigation of the* Devil, *intending altogether to withdraw, blot out, and extinguiſh the Cordial Love and due Obedience which faithful Subjects owe to their Sovereign, On the* 20th. *of* October, 17 Car. *at* Dublin *in* Ireland *in the parts beyond the Seas, and at divers other times both before and after, as well at* Dublin, *as elſewhere, falſly, maliciouſly and traiterouſly did Conſpire, imagine and compaſs utterly to deprive and diſinherit the Kings* Majeſty *of His Royal Eſtate and Kingdom of* Ireland. *To bring His Majeſties Perſon to death and deſtruction. To raiſe Sedition, and breed and cauſe miſerable ſlaughter and deſtruction amongſt the King's Subjects, throughout all the whole Kingdom. To make an Inſurrection and Rebellion againſt the King their* Sovereign, *To Levy publick open bloody and fierce War againſt the King in that Kingdom. To Change and alter according to their own Wills, the Government of the Kingdom, and*

The Indictment againſt them.

the

20 Caro't.

the Religion there eſtabliſhed, and totally to ſubvert the well ordered State of that Common Wealth; To procure and bring in divers Strangers and Forreigners (not being the King's Subjects) in a Warlike manner to invade that Kingdom of Ireland, *and to Levy War there.*

And in Execution of theſe their wicked Treaſons and Traiterous Conſpiracies, the 20 *of* October 17 Car. *They the ſaid* Hugh Mac Mahone *and* Conor Macguire *at* Dublin, *and at divers other Times and Places, by one* Toole O Conley *and divers other Meſſengers by them ſent to* Owen O Neal *being then in* Flanders, *did move and incite the ſaid* O Neal *to Levy and Raiſe an Army in* Flanders, *and thence to bring that Army over into* Ireland *in an Hoſtile manner to invade that Kingdom. And further to put in Execution their Traiterous Purpoſes, They together with the Perſons before named and others, the* 20*th of* Octob. 17. Car. *at* Dublin, *and at divers other Times and Places in* Ireland *before and after did Traiterouſly Conſpire to enter into, ſeize, get into their own Power, and to ſurprize the King's Caſtle at* Dublin, *and all other the King's Caſtles and Forts in that Kingdome, and the Magazines therein. And at the ſame time they unlawfully and Traiterouſly did endeavour and actually attempt to gain into their Poſſeſſion and Power, and to ſurprize the ſaid Caſtle of* Dublin *and the Munition therein. And further to bring to paſs their moſt horrid wicked Treaſon and Conſpiracies, They with the other Perſons named* Phelim O Neal *and others, on the* 22*th* October 17 Car. *At* Charlemont *and other Places before and after, being Armed and Arrayed in a Warlike manner, with Banners diſplayed, Drums, Swords,* Staves, Guns, *and other Invaſive and defenſive Weapons, did falſely and Traiterouſly prepare and Levy open, fierce, and bloody War againſt the King's Majeſty. And the ſame* 22*th of* October, *ſeized and ſurprized the King's Fort at* Charlemont: *And then and there malicionſly and Traiterouſly did Kill and Murder* Toby *Lord* Calfield, Francis Daviel *and others that were Proteſtants; And that* 4 Junii 18 Car. *at the Caſtles of* Keilagh *and* Cragan *and other times and places before and after, Levyed War, ſeized and ſurprized thoſe Caſtles and did Kill and murder* Owen Powel *and* William Coſens, *and many other of the King's Proteſtant Subjects in that Kingdom, Againſt their duty and Allegiance in manifeſt Breach and Contempt of the Laws and Statutes of this Kingdom, and againſt the Peace of the King his Crown and Dignity.*

To which Indictment *Mac Mahone* pleaded *Not Guilty* and put himſelf for Tryal upon God and his Country; But *Macguire* alledged he was a Peer of *Ireland*, and ought to be tryed there by his Peers, deſiring that he might be allowed Council therein for matter of Law and Form, which was granted accordingly. *Mac Mahone* on *Munday November* 18th. on full Evidence was found Guilty, and received Judgment as in Caſes of Treaſon, and on the 22th. was Executed accordingly at *Tyburn*; refuſing to make any Confeſſion, and being ask'd, if he deſired any to pray for him, Anſwered, *None but* Roman *Catholicks.*

Macguire *pleads Peerage.*

Mac Mahone *Executed* 22. Nov.

The ſame Day the Lord *Macguire* brought in his Plea ſigned by Council; The purport of which was,

That by the Statute of *Magna Charta* 10 *February* 9. *Hen.* 3. It was Enacted that none ſhould be Tryed or Condemned but by the lawful Judgment of his Peers; And that by the Statute of 10 *Hen*, 7. It was Enacted, That all the Statutes made in *England*, ſhould thenceforth be in force in *Ireland.*

The Form of Macguire's *Plea.*

That before the Time of the ſeveral Treaſons Charged in the Indictment, *Brian Macguire* his Father, by Letters Patents was Created Baron of *Eniskellyn* in *Ireland* to him and his Heirs Male of his Body;

An. 1644. By force whereof his Father was ſeized of his Barony in Fee Tail, and 1. *Feb* 12. *Car.* dyed ſo ſeized; After whoſe Death the ſaid Barony deſcended to the Defendant, By Vertue whereof he was a Baron of *Ireland*; And that at a Parliament held at *Dublin* 16 *March* 16 *Car.* which was there continued till 7 *Auguſt* after, and the Adjourned to the 9 of *November* following, and then prorogued to 24 of *February* thence next following, and from thence continued till 24 *June* 18 *Car.* He was one of the Noblemen and Peers that ſate in the ſaid Parliament.

That 23 *October* 17 *Car.* he was Arreſted and Impriſoned upon pretence of the ſeveral Treaſons in the Indictment mentioned, and there continued till 12 *June* 18 *Car.* When he was brought againſt his will to *Weſtminſter*, and thence committed to the Tower of *London* in ſtrict Cuſtody. All which he does averr, and prayes that he may be Tryed and Judged by his Peers in *Ireland.*

Demur'd unto. Whereunto the King's Council Demurred in Law.

And the Defendant Joyned in the Demurrer.

And after it had ſeveral Days been Argued, both by the Defendant's Council, and the King's; Judge *Bacon* at the beginning of *Hillary Term* *Over-ruled.* over-ruled the Plea, and delivered his Judgment, That a Baron of *Ireland* is triable by a Jury in this Kingdom. Which Opinion of his was Approved of by both Houſes in the following Order.

Die Lunæ 10 *February* 1644.

The over-ruling Plea approved of by the two Houſes. *Ordered by the Lords and Commons in Parliament Aſſembled, That the ſaid Houſes do Approve of the Judgment given by Mr. Juſtice* Bacon *in over-ruling the Plea of the Lord* Macguire, *and of the Manner of the Tryal upon the Indictment of High Treaſon in the King's Bench; And the Judge is hereby required to proceed ſpeedily thereupon according to Law and Juſtice.*

John Brown, Cler. Parliament.
Henry Elſinge, Cler. Parl. D. C.

Macguire's *Trial.* Accordingly the ſame 10th. of *February*, the Lord *Macguire* was brought to the King's Bench Bar. And a Jury being call'd, conſiſting of Knights and Gentlemen of good quality, whereof 23 appeared, he Challenged them every one peremptorily. Then the King's Council conſulted together, and with the Clerk of the Crown, and afterwards Sergeant *Whitfield* acquainted the Court, That they had conſulted ſeveral *Precedents*, whereby they found, that where there ſhould happen ſuch a peremptory Challenge, it was in the power of the Court to order the Courſe of the Tryal, and the Courſe is this. There goes a Writ to the Sheriff, that he ſhall deſtrain all them that make default, and amove thoſe that are Challenged by the Priſoner, and further, that he ſhall return ſo many more for the Tryal, and therefore prayed a *Tales* returnable on the Morrow, and the Court doubting whether the Sheriff would do it ſo ſoon, he cited *Friar's* Caſe 3. *Hen.* 7. Where the Jury did appear on *Friday*, and all that appeared were Challenged, and there was a *Diſtringas* returned the next Day. which was *Saturday.* For in theſe Caſes the Court proceeds *De die in diem*, and it may be made retornable *Immediate.* Whereupon the Court ordered a *Diſtringas* and a *Quadraginta Tales* againſt the next Morning. And a Rule of Court for the Lieutenant then to bring again the Priſoner.

Which

Which being done, and another Jury called, he Challenged 12 in the ſame manner as before, which with the other challeng'd the Day before made up the Number of 35, as many as the Law allows a peremptory Challenge unto. And then before they called any more, his Lordſhip moved, That his Lands being ſequeſtred, thoſe Men that have bought or are to enjoy them, ought not to paſs upon his Tryal, and therefore deſired, They might make Anſwer upon Oath, Whether any of them had Adventured or no? To this Mr. *Pryn* one of the Council againſt him, Anſwered, That it did not appear to the Court, that the Priſoner had any Lands or Goods in *Ireland*, and therefore no ſuch Queſtion was to be demanded of the Jury. Serjeant *Whitfield* alledged, That ſuch a general Challenge was not warrantable by Law. The Court agreed, That if any of the Perſons return'd were to have any particular Benefit in *Ireland* of Lands or Goods by his Attainder, the challenge were good; otherwiſe not; yet to gratifie him, that he might have no colour of complaint, the perſons return'd were upon Oath required to declare, whether they had adventured or were to have any ſhare in the Rebels Lands; To which Twelve anſwered Negatively and were ſworn to try the Priſoner. 20 *Car.* 4.

Many Witneſſes were produced, and moſt of them perſons of very conſiderable Quality.

Sir *William Cole* on his Oath named ſeveral of the Conſpirators with the Priſoner, as Sir *Phelim O Neal*, *Roger Moor*, &c. And that they were all *Papiſts*.

Sir *Francis Hamilton*, Sir *William Steward*, and the Lord *Blaney*, proved that long before the diſcovery of the Plot, when the Parliament was ſitting it being given out, That a Coachman of the late Earl of *Strafford*, ſpeaking of his Maſters Beheading (who had been cut off about a Fortnight before in *England*) ſhould ſay that he hoped to ſee *ſome of the Lords blown up for it*, The Lord *Clamorris*, the Lord *Fingall*, and other *Papiſts* moved the Houſe of *Peers*, That they were under apprehenſions of a *Proteſtant Powder-Plot*, and the Blowing up of the *Parliament Houſe*, (which is a great Houſe, where the *Commons* Sit on one ſide, the *Lords* on the other, and the *Blockhouſe* in the midſt) And thereupon though the Lords Juſtices aſſured them upon their Honours there was no *Powder* below, yet they would have an Order to ſearch; and this Lord *Macguire* was one appointed to ſearch, which they did very ſtrictly, The ſame (as the Event manifeſted) being only to aſſure themſelves what Ammunition the Government had, and where placed, it uſing formerly to lye in that *Blockhouſe*; But when they found none there, they very earneſtly inquired where the Store was.

Then the Examination of *John Woodcock*, that was Sheriff of *Dublin*, taken the 27 *October*, 1644. upon Oath before Judge *Bacon*, for that he could ſtay no longer in *England* was Read, ſetting forth the manner how he took the priſoner in a Cockloft in the Houſe of one *Kern*, a Tailor, where he found ſeveral Arms, *&c.* After which was read the priſoners own Confeſſion (before recited) made in *Ireland*, 26 *March*, 1642. and acknowledged by him, *June* 22th. before the Lord Chief Juſtice *Bramſtone* and Judge *Mallet*. And another Examination of his taken before *Iſaac Pennington* Eſq; Lieutenant of the *Tower* of *London* and *Laurence Whitaker* Eſq; two Juſtices of the Peace for *Middleſex*, the firſt day of *October*, 1644. in theſe words. Macguires *Confeſſion read*

He denieth, the Receiving of any Letters or Meſſages out of *England*, before the Rebellion, nor did he ever hear of any. He ſaith, he was

An. 1644.

but a mean Inſtrument in the deſign in *Ireland*; he confeſſeth he intended to ſeize upon the Caſtle of *Dublin*, and the Magazine there, and keep it till they had Redreſs of ſome Grievances, which they purpoſed to propound to the Parliament there; one whereof was to have a Toleration of the *Roman* Catholick Religion. He confeſſeth that he came accidentally to *Philip O Rely*'s Houſe as he came up to *Dublin*, and as he remembreth *Mac Mahone* was then there. And that his intention of coming up to *Dublin* was to put the ſaid deſign in Execution, and that then and there they had ſpeech about that deſign, but he remembreth not the particulars; which deſign was to be put in Execution the 23th. day of *October* in that year, and that he was taken there that very day being Saturday upon ſearch made for him, carried before the Lords Juſtices, Examined, Committed and ſent over into *England*. He ſaith further, That he made his eſcape out of the *Tower* of *London*, upon *Sunday* the 18th. of *Auguſt* laſt, about Four of the Clock in the Morning.

Connor Macguire.

After which *John Carmick*'s Teſtimony was heard; who depoſed, that on the 21th. of *October*, 1641. one *Fergus O Howen* one of the Followers of *Brian Macguire* Eſq; diſcovered to him in the Caſtle of *Iniskillin*, that the Lord *Macguire* and *Hugh Oge Mac Mahone* accompanied with ſeveral *Iriſh* men out of the Counties of *Fermanagh* and *Monaghan* were gone to *Dublin*, to poſſeſs themſelves of that City and Caſtle, kill the Lords Juſtices, *&c.* The Examinate alſo produced a Letter written in *Iriſh* from the Lord *Macguire* to his Coſen *Brian Macguire*, wherein taking notice of his Affection to the *Engliſh*, he adviſed him therefrom, leaſt in the end it might be his own Deſtruction, as he thought it would be to all thoſe that did not appear. The ſame Witneſs further depoſed the Murther of ſeveral particular Gentlemen; That the Rebels burnt the Church of *Monah* with Eighteen Proteſtants in it; That there were Two and Twenty Caſtles ſeized, and Seven Hundred Sixty Four Proteſtants in that County deſtroyed, and that he did hear there were about One Hundred Fifty Two Thouſand that were deſtroyed in that Province of *Ulſter* in the firſt Four Moneths of the Rebellion.

152 Thouſand Proteſtants Murder'd in Ulſter *in the firſt 4 Months of the Rebellion.*

And Sir *William Cole* atteſted the like.

The Lady *Calfield* gave Evidence that on the 23th. *Octob.* 1641. Sir *Phelim O Neal*, and others came into her Sons Caſtle of *Charlemont*, ſeized upon all, Murthered divers of his Servants, bound the reſt, and having taken her Son, the Lord *Calfield*, got her to write to the Lords Juſtices that my Lord *Macguire* might be exchanged for him, which being refuſed, They thereupon Murther'd the ſaid Lord *Calfield*, *Francis Davis* and others.

Sir *Charles Coote* gave Evidence, That Sir *Phelim O Neal*, and *Roger Moor* were the chief Actors in the Maſſacre, and that by publick Directions from ſome of the principal Rebels, and of the Titular Popiſh Biſhops, for ſending in of an exact Account of how many Proteſtants had been deſtroyed throughout the whole Province of *Ulſter* (but one Fourth part of the Kingdom of *Ireland*) to the Pariſh Prieſts in every Pariſh, and they to Tranſmit the ſame; The Account brought in was of One Hundred Four Thouſand and Seven Hundred Perſons in that one Province during the firſt three Moneths of the Rebellion.

The ſame proved by other Witneſſes.

And

20 Car. II.

And that the Supream Council had granted to the Lady *Macguire*, the Priſoners Wife, the Rents of ſeveral Lands in recompence of the Loſs which he was at in their Cauſe. Likewiſe a *Bull* was produced from Pope *Urban* the 8th. dated 25 *May* 1643, giving a full Pardon of all Sins to thoſe that were concerned in this War againſt the Hereticks in *Ireland*, [A Copy whereof we have ſet down before.

The Priſoner coming to make his defence, denied his Examination, but that was proved abundantly by *Bramſton* and others, to whom he had acknowledged it as aforeſaid; Alſo the Lord *Blaney* proved his Hand being well acquainted therewith. The Priſoner further ſaid, That he came to *Dublin* only on his own particular Occaſions relating to his Eſtate, and that becauſe he was found about the City therefore he was apprehended. That as to the Number of Proteſtants mentioned to be ſlain, he did not think there were ſo many Proteſtants in the whole Kingdom; and that he knew nothing of the Plot but by hear-ſay.

The Judge ſumming up the Evidence, declared to the Jury as a point in Law, That they were to know that where there was a Conſpiracy of many to raiſe a War; if any of that Conſpiracy do act it, all the reſt are guilty. The Jury went together and after a ſhort ſpace brought him in Guilty. And ſo ſentence was paſſed upon him as in Caſes of Treaſon; And then he was ask'd if he would have any Miniſters come to him to prepare him for his End, and to adviſe him for the good of his Soul; To which he anſwered, *I deſire none of them, but I deſire that I may be ſent Priſoner to* Newgate; (where there were at that time ſome popiſh Prieſts) But that being denied, he deſired that ſome Gentlemen of his own Religion might have Acceſs to him, and ſome who were his fellow-Priſoners in the *Tower* to ſpeak with him in his Keeper's Preſence; And being told he muſt expreſs, whom he deſired to conſer with in particular; He named Mr. *Walter Montague*.

Macguire *Condemned.*

To the Right Honourable the Lords and Commons now Aſſembled in Parliament.

Macguire's *Petition to be Beheaded.*

The Petition of the Lord *Macguire*

Humbly ſheweth;

THat the Petitioner ſtands condemned for his Life, and adjudged to be Drawn, Hanged, and Quartered: The performance whereof (he humbly conceives) in ſome more favourable manner, will be ſatisfactory to Juſtice. And foraſmuch as your Petitioner hath hitherto enjoyed the degree and dignity of a Lord, which he humbly conceives your Lordſhips are well acquainted with.

In tender Conſideration thereof, he deſireth, That their Honours would graciouſly be pleaſed, in mercy to mitigate the rigour of his Sentence, and turn it to that Degree which moſt befits the Denomination he hath; And as he hath been look'd on by the Eye of Juſtice in his Condemnation; So that in this particular he may be pitied, and have Mercy.

And he ſhall ever pray, &c.

Cornelius Macguire.

But

An. 1644. *Rejected. His Execution*

But this Petition was rejected by the Parliament, and on *Thurſday February 20 th.* he was drawn on a Sledge from the *Tower* through *London*, and ſo to *Tyburn*; where being removed into a Cart, he kneeled and prayed a while; After which Sheriff *Gibbs* ſpake to him repreſenting the Hainouſneſs of his Crimes, and the vaſt Number that had been murthered by that Conſpiracy for which he was to ſuffer, and therefore exhorted him to expreſs his ſorrow for it; In anſwer to which he ſaid, I deſire Almighty God to forgive me my Sins.

Sheriff *Gibbs.* Do you Believe you did well in thoſe wicked Actions?

Macguire. I have but a ſhort time, do not trouble me.

Sher. Sir, It is but juſt I ſhould trouble you, that you may not be troubled for ever?

Macguire. I beſeech you Sir! trouble me not I have but a little time to ſpend.

Sher. Sir, I ſhall give you as much time after, as you ſhall ſpend to give Satisfaction to the People: I do require you as an Inſtrument ſet in God's ſtead here, to make an Acknowledgment to the people, whether you are ſorry for what you have done, or no, whether it be good or no?

Macguire. I beſeech you do not trouble me; I am not diſpoſed to give you an Account. Pray give me leave to pray.

Doctor *Sibbald.* Give Glory to God, that your Soul may not be preſented to God with the Blood of ſo many thouſand People.

Sher. You are either to go to Heaven or Hell; If you make not an ingenuous Confeſſion your Caſe is deſperate; Had you any Commiſſion or no?

Macguire. I tell you that there was no Commiſſion that ever I ſaw.

Sher. Who were Actors or Plotters with you, or gave you any Commiſſion?

Macguire. For God's ſake give me leave to depart in Peace.

Then they ask'd him if he had not ſome Pardon or Bull from the Pope for what he did; To which he only Anſwered, I am not of the ſame Religion with you; and being further urged about a Bull or Pardon, ſaid, I ſaw none of it; all that I knew I delivered in my Examinations, all that I ſaid in my Examinations are true; All that I ſaid is right; I beſeech you let me depart in Peace; and ſo not returning them any Anſwer to their Queſtions, he continued *mumbling* over a Paper which he had in his Hand, as he had done from his firſt coming. The Sheriff commanded his Pockets to be ſearch'd, whether he had no Bull or Pardon about him, But they found in his Pockets only ſome Beads and a Crucifix, which were taken from him; And then Doctor *Sibbald* ſaid to him, Come my Lord, leave thoſe and acknowledge your Offence to God and the World: one Drop of the Blood of *Jeſus Chriſt* is able to purge away all the heavy Load of Blood that is upon you; It is not your *Ave Maria's*, nor theſe Things will do you any Good: But it is *Agnus Dei, qui tollit peccata Mundi.* The Lord *Macguire* ſeemed not to regard his Diſcourſe, but read out of his Paper to the People as followeth.

Since I am here to dye, I deſire to depart with a quiet mind, and with the marks of a good Chriſtian, that is, asking Forgiveneſs firſt of God, and next of the World. And I do forgive (from the bottom of my Heart) all my Enemies and Offenders, even thoſe that have an hand in my Death. *I die a* Roman Catholick, *and allthough I have been a great Sinner, yet am I now by Gods Grace heartily ſorry for all my ſins, and I do moſt confidently truſt to be ſaved (not by my own Works, but onely) by the*

20 *Caroli.*

the Paſſion, Merits and Mercy of my dear Saviour Jeſus Chriſt, *into whoſe Hand I commend my Soul,*

And then added, *I beſeech you Gentlemen let me have a little time to ſay my Prayers.*

Sher. Sir, If you will Anſwer ingenuouſly to thoſe Queſtions we ſhall ask you, you ſhall have time afterwards. Whether do you account the Shedding of the Proteſtant Blood to be a Sin or not: And whether do yon deſire Pardon of God for that Sin?

Macguire. I do deſire Pardon of God for all my Sins: I cannot reſolve you in any thing for my Part.

Sher. You can tell what your Conſcience Dictates to you; Do you think it was a Sin or not?

Macguire. For my Part I cannot determine it.

Sher. Then now it ſeems nothing to you to Kill ſo many?

Macguire. How do you mean Killing of them? To tell you my Mind directly, for the Killing I do not know that, but I think the *Iriſh* had a juſt Cauſe for their Wars.

Sher. Was there any Aſſault made upon you? Had you not entred into a Covenant? Had you not engaged by Oath your ſelf to the King?

Macguire. For *Jeſus Chriſt*'s ſake, I beſeech you to give me a little time to prepare my Self.

Sher. Have pitty upon your own Soul.

Macguire. For God's ſake have pitty upon me, and let me ſay my Prayers.

Sher. I ſay the like to you, in relation to your own Soul; Whether you think the Maſſacre of ſo many thouſand Proteſtants was a good Act? For *Jeſus Chriſt*'s ſake, have pitty upon your own Soul.

Macguire. Pray let me have a little time to ſay my Prayers.

All this while his Eye was moſtly upon his Papers, mumbling over ſomething out of them to himſelf, whereupon one of the Sheriffs demanding thoſe Papers of him, he flung them down. They were taken up and given to the Sheriff, and a Copy of them hereafter follows. They ask'd him further, whether there were not ſome Agreement with the Recuſants here in *England*? Whereunto he Anſwered, I take it upon my Death, I do not know that any Man knew of it; and after ſome other ſuch like talk, the Sheriff bidding him prepare himſelf for Death. He ſaid, *I do beſeech all the* Catholicks *that are here to pray for me, I beſeech God to have mercy upon my Soul*; And ſo was executed.

A Copy of the Papers which the Lord *Macguire* carried in his Hand to the Place of Execution, which were delivered to the Sheriffs.

Macguire's *Papers carried in his hand to Execution, directing his Devotions.*

A Letter of ſome of the Friends of the Lord Macguire, *who (it ſeems) intended to attend him to the Place of Execution.*

Moſt Loving Sir.

MY *Maſter his Coach ſhall wait on you infallibly. That day your Friend* William *ſhall go by Coach all the way, upon a red Horſe, with a white Hat, and in a gray Jacket, and then you cannot chuſe (by the Grace of God) but to know the Coach, of two whitiſh Horſes, and then you may dive, or ſhew that token onely, as to lift up to your Face your Hand, nodding (or inclining down) your Head, and there ſhall go two or three (divers) Coaches for the ſame purpoſe, and be ſure to have plenary Phyſick as you deſire. I ſend you this holy Stone, by Vertue whereof you may gain a plenary Phyſick, in*

An. 1644. *in saying any certain Prayer I beseech you, dear Sir, be of good Courage, for you shall not want any thing, for that happy Journey, and offer you your self wholly for him, who did the same for you. Pray earnestly for your Countrey, and for your own Sons, that God may prosper them. I do humbly entreat you to pray for me, Your own poor afflicted Servant.*

Your poor Gray.

This was in the Margin of the Letter, as it were a Postscript.

You shall do well to send your Letters to Morrow *to that Young man that comes to me, and the* Wooden Cross *that I have sent there of late, I beseech you send me word, whether the* Reliquary *that came along with those two Crosses was yours or your Companions* Mac Mohun Hugh.

These Words following were in an *Irish* Character.

Mo *mhile beannacht chugad a mhic mhanma.*
In English; *my Thousand Blessings unto you, Son of my Soul.*

The following Paper was only in *Latine*, but here *Englished Verbatim.*

BEloved *Son in Christ believe, Almighty God, who governs all the World by his eternal Providence, hath appointed this way to thy Salvation, and this manner of Death, though he could have brought thee to the Land of Bliss, by another way, knew this to be more expedient. Therefore (my Son) thou shouldst suffer this kind of glorious Death which thy God hath ordained for thee, with an elevated Mind, yea thou shouldst desire it; certainly this kind of death is a great mercy of God; Is it not a special Gift of God, to have a certain time of Sorrow and Repentance for Offences committed? Oh with how great a Desire did the Kingly Prophet* David *wish, that he might know the Length of his Days! Expostulating thus with God,* Make me O Lord to know my End and the Number of my Days. *This kind of Death is granted to many, who rather with a perverse mind and by an unforeseen Death fall to suffer everlasting Punishment,* Psal. 36. David *being weary of the Miseries and Dangers of the present Life, said, Wo is me, because my Pilgrimage is prolonged, as if the time of his Banishment seemed long; besides* Paul *says,*

CRede (Delecte in Christo fili) Deum optimum, maximum, qui Mundum hunc universum aeterna quadam mentis providione moderatur; hanc Salutis tuæ Vitam, et hunc modum moriendi, Statuisse: qui quidem quamvis te ad fælicitatis patriam alio tramite ducere potuisset, magis hoc tibi expedire præcognovit. Ergo (mi fili) hoc genus glorioſum mortis, quod Dominus Deus ſic tibi ornavit, erecto animo perferas, quinetiam exoptes. Certè hujuſmodi mors magnum Dei beneficium eſt; Nonne ſpeciale Donum Dei eſt, habere certum tempus dolendi et pœnitendi de offenſis Commiſſis contra ſuam Divinam Majeſtatem? O! quanto deſiderio expoſtulavit ſibi dari certum et notum vitæ ſuæ ſpatium Regius Propheta *Davidus*, Expoſtulans a Deo ſic! Notum fac mihi Domine finem meum et numerum dierum meorum. Hoc genus mortis enim quamplurimis eſt conceſſum, qui perverſo potius animo improviſa morte ceciderunt, pœnas daturi ſempiternas. *Davidus* pertæſus miſerias et pericula præſentis vitæ, dicebat, Heu mihi quia incolatus meus prolongatus

tus eſt, quaſi longum illi videretur tempus exilii. Beatus *Paulus* dicebat, Infelix Ego, quis me liberabit a corpore mortis hujus? Et ex deſiderio vivendi in terrâ Viventium, dicebat, cupio diſſolvi & eſſe cum Chriſto. Ideo (mi Domine) hanc mortem quæ tibi jam imminet, æquo animo pro Chriſto acerbiter pro te mortuo, feras, hanc, amariſſimam Chriſti mortem tormenta, & cæteris oculis tui cordis ſerventur me dictare. Vide,—

O wretched Man that I am, who ſhall deliver me from this body of Death, Rom. 7. *And out of living in the Land of the Living he ſaid, I deſire to be diſſolved and to be with Chriſt. Therefore (my Lord) bear this death which now hangs over head with a quiet mind, for Chriſts died for you; Therefore fervently meditate with the Eyes of your Heart, upon this bitter death of Chriſt; and his Torments. See,—*

20 Caroli.

Theſe Lines following were written on the back-ſide of the Paper, part of it being before torn, and no more brought by him then what is here.

——gni ſui te promoveret, & dicas, In manus tuas Domine commendo Spiritum meum, redemiſti me Domine Deus Veritatis: Tu me creaſti Deus meus, Tu me redemiſti: Pater ſanctiſſime totus ſum tuus, fiat in me Voluntas tua, illumina oculos meos, ne unquam obdormiam in morte. Beatam *Mariam* invoces in auxiliatricem dicendo, *Maria* Mater gratiæ, mater miſericordiæ, tu nos ab Hoſte protege, & in horâ mortis ſuſcipe, Invoces etiam ſanctum *Michaelem* Archangelum, & Angelum Cuſtodem, & ſanctos Patronos, & demum omnes Sanctos, ut intercedant pro te & adjuvent, te ſuis Suffragiis & meritis. Recites etiam hæc verba: Domine Jeſu Chriſte, credo quod Deus meus & Redemptor meus es tu, & credo firmiter quicquid Sancta Eccleſia Catholica preponit credendum, & in hæc proteſtor me velle vivere & mori. Domine Jeſu dolet mihi, quod tantam bonitatem offenderim, & dolet quod amplius non doleo de offenſis contra te Creatorem & Salvatorem meum, Cogitatione, verbo, & opere & omiſſione perpetratis, & humiliter peto mihi, condonari per ſanguinem tuum quem pro mea ſalute profudiſti. Et ſi quod oblitus ſum, vel non cognoſco quod Majeſtatem tuam offenderit, de eo illuminari cupio &

—— *his Kingdom ſhall move thee, and ſay, into thy Hands I commend my Spirit, Thou haſt redeemed me, O Lord God of Truth; Thou haſt created me, O my God, Thou haſt redeemed me, O moſt holy Father. I am all thine, Let thy Will be done in me; illuminate mine Eyes that I may never ſleep in Death: Thou ſhalt invocate bleſſed* Mary, *for thy helper, ſaying,* Mary *the Mother of Grace, the Mother of Mercy, do thou protect us from the Enemy, and receive us in the Hour of* Death, *thou ſhalt invocate alſo Saint* Michael *the Archangel and the Angel thy Keeper, and the holy Patrons, and laſtly all the Saints that they may interceed for thee and help thee with their Prayers and merits, thou ſhalt alſo recite theſe words. O Lord Jeſus Chriſt I believe that thou art my God and my Redeemer, and I firmly beleive whatſoever the holy Catholick Church propounds to be believed and profeſs that I will live and die in this Faith. It grieves me that I have offended ſo great Goodneſs, and it grieves me that I can grieve no more for my Offences committed againſt thee, my Creator and Saviour, in thought, word and deed and by Omiſſion: and I humbly beſeech thee to pardon me by thy Blood, which thou haſt poured out for my Salvation; and if I have forgot any thing which hath offended thy* Majeſty, *or do not know it, I deſire to know it and repent it.*

An. 1644.

And in the mean time I ask forgiveneſs of all and likewiſe for thy ſake do from my heart paſs by all Offenſes whereby others have offended me, alſo I pray them to forgive me, and if I have detained any thing from any Man, my Heirs ſhall make reſtitution to them to whom it is due.

pœnitere; & interim de omnibus veniam peto: Ommibus qui me offenderunt ex Corde meo, & ſimiliter omnes offenſas propter te dimitto, & ſi quem ego offendi, precor etiam veniam mihi dari, & ſi aliquid alicujus eſt apud me, volo ſatisfacere per Hæredem meum, omnibus quibus Debeo.

The Copy of another Paper containing a Direction for his Devotion in his paſſage to and at the place of Execution, ſent from his Ghoſtly Father with the former.

Jeſus IHS Maria

In your paſſage to Execution, remember as followeth.

To think on our Lord carrying his Croſs to Mount Calvario
Or on the proper Meditation *againſt the* Devils *Temptation.*
Think that the pain is ſhort, the reward Eternal and Everlaſting.

Have mercy on me O God &c. — Miſerere mei Deus *&c.*
Lord not in thy Wrath. — Domine ne in furore tuo.
The firſt penitential Pſalm.
Our Father. — Pater noſter.
Hail Mary. — Ave *Maria.*
In thee, O Lord have I truſted, let me never be confounded in thy Juſtice. — In te Domine ſperavi, non confundar in æternum in tua Juſtitia.
By the Miſtery *of thy holy Incarnation, O Lord deliver us.* — Per Miſterium ſanctæ incarnationis tuæ libera nos Domine.
Sanctify me with the Spirit of Chriſt. — Anima Chriſti ſanctifica me.
Thou ſought'ſt me being weary. — Quærens me ſediſti laſſus.
I humbly pray. — Oro ſupplex.
O holy Angels. — Sancti Angeli.
We flie to thee for Aid, O holie Mother *of* God. — Sub tuum præſidium confugimus ſancta Dei Genetrix.
Remember O Maker of all things. — Memento rerum Conditor.

Remember the Promiſes of God, *That none ſhall be tempted* &c. *Call upon me in the day of* &c. *Come to me all ye that be heavy* &c.

When you come to Newgate *make your token for an abſolution.*
When you come to the place of Execution, do as followeth.

O Lord Jeſus Chriſt I worſhip thee in thee Croſs. — O Domine Jeſu Chriſte adoro te in Cruce *&c.*
Hail ſweet Mother of Chriſt, &c. — Ave dulcis Mater Chriſti *&c.*
O holy Lady Mary. — Domina mea ſancta *Maria.*
Lord now let thy Servant depart, &c. — Nunc dimittis Servum Domine.
Have mercy on me O God. — Miſerere mei Deus.
Thou ſought'ſt me being weary. — Quærens me ſediſti laſſus.
I humbly pray on my Knees. — Oro ſupplex & acclivis.
Thou art the Fountain of Mercy. — Tu Fons Miſericordiæ.

Pray

20 Caroli.

Pray for the Church of Ireland, *M. Greasav*, Jesus Maria *three times for an Indulgence also a* Pater *and an* Ave *and* Jesus Maria *three times for the same end.*

Then make either of these tokens, stretch out your Hands in form of a Cross or (if you cannot do so) join them together before your Breast, with a Handkerchief, twisted about your hand (with sorrow for your Sins and earnestly desiring absolution of the Church) and God will absolve you.

Before you make this Token, settle on your Desire *and say, I desire an absolution,* &c. *and say,* Confiteor Deo Omnipotenti, *I confess me to Almighty God, and then make your token.*

Then say, O Amabilissima bonitas! Confiteor Deo, *with sorrow for your Sins, and settle your heart earnestly to desire an absolution from the Church (and I desire an absolution) make your token (or mark) of lifting both your Hands to your Face; and letting fall your handkerchief; God will absolve you.*

After that pray for your Enemies and Persecutors, and forgive them from the bottom of your heart.

Then willingly resign your self wholly to the Blessed Will of God, and trust only to be saved by the merits of our Saviour Jesus Christ.

Then say these Words following (publickly) that you may be heard.

" Since I am here to die, I desire to depart with a quiet mind, and " with the marks of a good Christian, that is, asking forgiveness first " of God, and next of the World. And I do forgive (from the bot- " tom of my Heart) all my Enemies, Offenders, even those that have " had an hand in my Death.

Say moreover.

" I dye a *Roman Catholick*, and although I have been a great Sinner, " Yet am I now (by God's Grace) heartily sorry for all my Sins. And " I do most confidently trust to be saved, not by any of my own Works, " but only by the Passion, merits and mercy of my dear Saviour Jesus " Christ, into whose Hands I commend my Spirit.

Offer all thy Sufferings to our Saviour in Union of what he suffered.

Lastly say.

O Lord Jesus Christ.	Domine Jesu Christi.
For that Bitterness.	Propter illam Amaritudinem.
Thou sought'st me being weary.	Quærens me sedisti lassus.
I humbly pray on my Knees.	Oro supplex & acclivis.
Thou art the Fountain of Mercy.	Tu fons Misericordiæ.

Resign your self willingly and wholly to God.

Upon the Ladder make your sign for an absolution, and say, *I desire with all my heart an absolution from my Mother the* Catholick Church *for my Sins.*

This was written but crossed out again, and another paper pinned upon it, written in another manner, which also doth follow.

This paper was pinned upon that which was Crossed out.

This day there was a very unusual Sight in the Heavens, *viz.* Not only two *Parhelii* or *Mock-Suns*, so that there appeared three Suns, but also a Rainbow revers'd, or having the Back of the Bend towards the Earth, compassing one of the Suns with in the Bow, and the two Ends of the Bow going upwards extended one to one of the other two Suns;

Nov. 19. *An unusual Sight in the Heavens.*

An. 1644

and the other to the other; which *Phænomenon* was the more obſerved and diſcanted on, becauſe it happened on this day which was the Anniverſary of the Kings Birth day.

Sir Alexander Carew *Tryed.*

Alſo the ſame day the Court Martial ſat again in *Guild-Hall*, Sir *John Corbet* Baronet Preſident; Where was Tried Sir *Alexander Carew* Baronet, upon the ſecond and ſeventh Articles of the late Ordinance. The Charge againſt him was opened by Mr. *Mills* the Advocate, to this Effect; That when the Wars began, the Town of *Plimouth* was look'd upon as a moſt conſiderable Place, and the Iſland of St. *Nicholas* was ſo Appendant to it, that *Plimouth* could not be ſafe, unleſs that were ſecured; And therefore to ſecure them both Sir *George Chidleigh* was pitcht upon for Governour, and took a Commiſſion from the Earl of *Eſſex*; And by Deputation from him by Conſent of Parliament, the Charge and Government of the Iſland was Intruſted unto this Sir *Alexander*, who had deſerted that Truſt, adhered to the Enemy, and endeavoured to betray that Iſland and the Forces therein, which was offered to be made out by proving, That he held Intelligence with Colonel *Edgecomb* and Major *Scowen* of the King's Party, not only by Letters, but by Perſonal Conference ſeveral times at Midnight in their own Quarters; That he had ſlandered the Parliament and their Proceedings, and juſtified the King's Proceedings againſt the Parliament; And magnified the King's Power and Victories, and giving the Parliament's Cauſe for loſt; That he had endeavoured to work upon his Soldiers and Officers by promiſing them Pardons; That he had declared his Reſolution to hold that Iſland for the King, and endeavoured to put that Reſolution in practice, by putting himſelf in a Poſture both Defenſive and Offenſive againſt the Parliaments Forces, and ſeeking to bring the Forces of the Enemy into the Iſland, which he had effected, but that his own Soldiers took him *Flagranti Crimine*, in the very manner. For manifeſting theſe particulars, ſeveral Witneſſes, as Mr. *Francis* the Maior of *Plimouth*, Mr. *Willis* and Mr. *Randal* two Miniſters, Captain *Hancock*, *John Deep*, Merchant, and *Arthur Skinner* Gentleman were produced, and his own Confeſſion and Examination read.

Many of theſe Actions Sir *Alexander* denied, but his chief Plea was that the Ordinance did not look backwards but only forward, and therefore he ought not to be tried for them on this Ordinance, ſince the matters objected were done and tranſacted long before the Ordinance was made, *viz.* about the Month of *Auguſt*, 1643. To which *Mills* the Advocate replied, 1. That his Defence grounded upon the Ordinance of Parliament was not only inſufficient, but ſeemed to reflect on the Wiſdom and Juſtice of the Parliament. 2. That theſe Exceptions of his aroſe from a great Miſtake, For the two Articles they proceeded upon againſt him, *viz.* the ſecond and the ſeventh, do both look back as well as forward; And indeed do not create or make any new Crime, but declare the Puniſhment of what was before and at all times Treachery and Treaſon in War, which by all the Laws Civil is death. And ſo the Court proceeded to Sentence, that he ſhould be beheaded.

On the *Saturday* following his Lady preſented a Petition to the Houſe of Commons, ſetting forth, That Sir *Alexander* was in a kind of diſtracted Condition and unfit to dye, and therefore prayed he might be reprieved, whereupon a Committee was ſent to viſit him and report his Condition, who declared him not to be diſtracted, however that he might have time to ſettle his Eſtate and prepare himſelf for death, Execution was reſpited for above a Month, *viz.* Until *Monday December* 23. And then he was brought by the Lieutenant and his Officers

to a Scaffold erected on *Tower-Hill*, where one of the Miniſters that were with him deſiring him to ſpeak ſomewhat of the matter for which he was to dye, He ſpake as followeth. 20 *Caroli.*

The greateſt Enemy againſt me under the Sun can lay but the Suſpicion of the Fact againſt me; I deſire not to ſpin out Time, I deſire to be at my period; I have beſought God on my Knees oftentimes that I might be diſſolved, and God would never grant it me till now, and now bleſſed be God for it; I confeſs my Ways, that I am a ſinful Creature to God; with all my heart I have ſurvey'd my ſelf over and over again, and with Indignation for my Sins, and eſpecially my Pride and Stoutheartedneſs; All that you can lay to my Charge is but Intention, and no Man knows my Intentions better than my ſelf, and they ſhall dye with my ſelf, put me to what Tortures you pleaſe. When I came aſhoar at Plimouth *I asked them, whether they would believe what I ſaid? They told me, No: I am in that Condition that whatſoever I ſay is not to be believ'd, and therefore I have Leave to hold my Peace.*

Then advancing to the Front of the Scaffold, he ſaid to the People.

Gentlemen.

I hope you'll (in Conſideration of my weak Body) not expect that I ſhould ſpeak much to you; neither is it my part (nor Deſire) to Diſcourſe of my own Actions, or to Juſtifie my ſelf, but I ſhall rather confeſs as the poor Publican did, Lord be merciful to me a Sinner. *I deſire your Prayers to God for me, and I pray to God for you, that no one Drop of my Blood may be required at any Mans hands. I forgive all the World, with a full and hearty deſire as mortal Man can, and I beſeech God to forgive me, the God of Heaven that ſeeth, heareth, and beholdeth, knowes that I lie not. I have deſired with unfeigned Deſire and hearty Affections to be diſſolved and to be with Chriſt, knowing it ſhall be better for me, being aſſured thereby to be freed from the Miſery of Sin, and to enter into a better Life; It was the laſt words and writing of my Grandfather, and here of my Father* [holding forth a little Book] *the aſſurance of their eternal Peace and Happineſs, after the Diſſolution of this Body of theirs in which they liv'd here on Earth; It is mine likewiſe; I have no more to ſay, but I take my humble leave of you.*

Sir Alexander Carew's *Speech at Execution. Dec.* 23.

Then he deſired the People to joyn with him in ſinging the twenty third Pſalm, which he tuned and read himſelf to them, and the laſt words of the Pſalm being ended, which are,

Thou haſt my Table richly deckt
In deſpite of my Foe,
Thou haſt my Head with Balm refreſht,
My Cup doth overflow:
And finally whilſt Breath doth laſt
Thy Grace ſhall me defend;
And in the Houſe of God will I
My Life for ever ſpend.

He added, *And God aſſiſting me ſeal my Vow with my Blood, and rather ſuffer wrong than do it.* Then the Executioner deſiring his forgiveneſs, he ſaid to him, *I forgive thee, and thank thee too with heart unfeigned.* And giving him Money, ſaid, *prithee leave my Cloaths, take my head, and do it handſomely, elſe thou canſt not ſpeak* Dutch *and ſay,* wel ghedaen, *when I ſay Lord tho' thou killeſt me; yet will I put my Truſt in thee, then do thou cut off my Head; For thoſe were the laſt Words that ever my* Mother *ſpake when*

An. 1644.

when she died; So having took leave of his Friends, and said, *Lord into thy hands I commend my Spirit*, he laid himself down on the Block, and speaking these Words, *Lord, though thou killest*, &c. the Executioner did his Office.

Nov. 16. *Hospital Rents discharged of Taxes.*

An Ordinance for the freeing and discharging all Rents and Revenues belonging to the Hospitals of St. *Bartholomew*, *Bridewell*, St. *Thomas*, and *Bethelem* from all Assessments, Taxes, and Charges whatsoever.

Nov. 20. *The Propositions for Peace sent to the King.*

The two Houses having concluded their Propositions of Peace which had so long been in Agitation, and the Parliament of *Scotland* having signified their Assent thereunto; A Committee of Lords and Commons and *Scotch* Commissioners were this day Dispatcht to wait upon his Majesty therewith; But as to their success, and the Propositions themselves, *&c.* I shall give an intire Account of them in the Chapter following, touching the Treaty at *Uxbridge*, to which these Propositions were but Preliminaries.

Nov. 26. *Inhabitants of* New-England *to Trade free.*

An Ordinance reciting, That whereas the Inhabitants of *New England* are for the most part Natives of this Kingdom, and very well affected; Therefore for the Encouragement of that Plantation, and Advancement of the Gospel there, it is Ordered, that henceforth the Inhabitants thereof shall have free Liberty to Trade and Traffick from thence hither, either by way of Importation or Exportation without payment of any Customes whatsoever.

Nov. 30. Sir John Hotham's *Tryal.*

Sir *John Hotham* was brought before the Court Martial in *Guild-Hall*, Sir *William Waller* being President; The substance of the Charge against him was; That he had Traiterously betrayed his Trust reposed in him by the Parliament, and adhered to the Enemy, which would be proved by his Words, his Letters and his Actions, *viz.* His Correspondence with the Lord *Digby*, and the Marquess of *Newcastle*; His refusal to supply the Lord *Fairfax* with Powder, Arms and Ammunition, to the great Disservice of the Parliament, and the Prejudice of their Affairs in *York-shire*, his uttering divers slanderous Words against the Parliament and close Committee, his endeavouring to betray the Town of *Hull* to the Enemy; his holding a Correspondence with the Queen by several Messengers; his causing a Demi-Culverin to be placed on the Top of the Castle against the Town, and two pieces in the Blockhouse to give fire on the Parliament Ships, his sending away Captain *Moyer* Captain of the great Ship called the *Hercules*; his quitting of the Garrison at *Beverly* which was a great means to straighten *Hull*, and lastly his endeavours to escape as soon as he conceived his Design discovered; For proof of all which about thirty Witnesses were produced and examined.

On *Monday December* 2. he was brought again to make his Defence.

1. He set forth his Services and Faithfulness to the Parliament in defending the Town of *Hull* against his Majesty at the beginning. Then descending to particulars.

2. As to his Treaties with the Lord *Digby* and the Marquess of *Newcastle* he said that he had had two Treaties before with the Enemy, which (though concealed for the time) were afterwards received with general Approbation, and he believed that he might at any time do the like when it was for the Advantage of the Parliament.

3. His Treaty with the Lord *Digby* fell out thus; Captain *Moyer* about the time of the coming in of *The Providence*, which was the first Ship that furnisht his Majesty with Arms, sailing forth to meet her, met with a

Ketch

20 *Caroli.*

Ketch in the River *Humber*, wherein was the Lord *Digby* in the diſguiſe of a *Frenchman*, Collonel *Aſhburnham* and Sir *Edward Stradling*, whom he brought into *Hull*, and after they had been detained there ſome ſpace, the Lord *Digby* paſſing ſtill for a *Frenchman* and not known to the Priſoner or any other to be otherwiſe, ſent to ſpeak with the now Priſoner, and told him that he was a Soldier of Fortune, and if he would give him his Liberty he would go to the Enemy and give him Intelligence of their Deſigns, which accordingly he did upon his parole, and returned ſeveral times, but at laſt gave him the ſlip, and then ſent a Letter acquainting him that he was the Lord *Digby*, and wiſhing him to return to his Allegiance; After which he had no further Treaty with him.

4. That his Treaty with the Marqueſs of *Newcaſtle* was upon deſign that he might ſtill keep the Eaſt Riding of *York-ſhire* free for the maintainance of *Hull* then very deſtitute of Money, whereas otherwiſe the Marqueſs would have entered thoſe Parts and plundered them.

5. As to the Letters under his own hand ſent to the Marqueſs of *Newcaſtle* and now ſhewed him, he alledged, that he knew not whether they were his hand or no, but otherwiſe might counterfeit them.

6. He produced divers Witneſſes on his behalf, whoſe Teſtimonies chiefly tended to invalidate the Credit and take off the Evidence which had depoſed againſt him. And the next day having deſired that his Sons Mr. *Charles* and Mr. *William Hotham* might be heard, the Court (although not uſual) granted it; they ſpake largely for the moſt part to the ſame purpoſe, and on the *Wedneſday* Sir *John* concluded his whole defence; But his Allegations not being ſatisfactory to the Court, they on *Saturday December* 7th proceeded to ſentence, which was, that he ſhould ſuffer death by having his head cut off, which was appointed to be done on *Monday* 16*th December*; But on his Ladies petition for time to ſettle his Eſtate, deferred.

Sir John Hotham *condemned.*

His Son Captain *John Hotham* came to his Trial before the ſame Court, where he was charged,——— That he being a Commander in the ſervice of the Parliament, had betrayed the truſt in him repoſed, and perfidiouſly adhered to the Enemy, and endeavoured to betray a Regiment of Horſe and other Forces into their Hands; ſome of the principal matters endeavoured to be proved againſt him were

Munday Dec. *the* 9*th.* *Mr.* John Hotham *Tryed.*

1. That he had been diſobedient to the Commands of the Lord *Fairfax*, who by Commiſſion from the Lord General was made Commander in chief of the Northern Counties.

2. That he had refuſed to give Account of the Parliaments Money raiſed in *York-ſhire*, but converted it to his own uſe.

3. His adhering to the Enemy was proved by ſeveral Inſtances of his going into the Quarters of the King's Forces, and returning without any Engagement.

4. His ſeveral private Treaties under pretence of Exchange of Priſoners, and private diſcourſe with the Earl of *Newcaſtle* two ſeveral times by his own Confeſſion, and that the Earl offered him that he ſhould be made a Lord, and have general *Goring's* place, or any other Honours if he would turn to them.

5. His omitting ſeveral Opportunities to fight with the Enemy, particularly his permitting a Convoy from the Queen with Arms upon her firſt landing at *Burlington* to paſs to *York* without Oppoſition.

6. That another time in *Lincolnſhire* Lieutenant General *Cromwel* being with the Priſoner upon an Expedition, the Priſoner was to charge the Enemies Right Wing, and *Cromwel* the Left, the Latter did charge and routed

An. 1644. routed and chaſed them two Miles, when retruing he found the Enemies right Wing unbroken, and the (now) Priſoner not to have charged at all.

7. That he being upon the Diſcovery of ſome of his Treacheries, committed Priſoner to *Nottingham* Caſtle, whilſt he was there, ſent his Servant one *John Keys* (firſt ſwearing him to ſecrecy) with a Meſſage to the Queen then at *Newark*, to ſignify to her Majeſty how he was Impriſoned and ſpeedily to be ſent up to the Parliament, or to the Lord General, therefore deſired her Majeſty would be pleaſed to ſend a party to reſcue him; That he had a Regiment of Horſe under his Command and ſhould be ready to do her Majeſty the Service ſhe expected in *Lincolnſhire*; And that his Company of Foot at *Lincoln*, the Towns of *Hull* and *Beverley*, and the Ship called the *Hercules* ſhould all be at her Majeſties Service. And the ſaid *Keys* deſiring a Token, whereby her Majeſty might credit him; The Priſoner told him by the ſame Token that he ſent her Majeſty a Letter by one of her own Doctors of Phiſick where ſhe might Land in *England*. And further the ſaid *Keys* depoſed, that he repairing accordingly to *Newark*, and delivering his Meſſage, her Majeſty ſaid, *This unhappy Accident had not fallen out, had Captain* Hotham *came away when he firſt reſolved of it*; whereupon the Lord *Digby* ſtanding by ſaid, *—Your Majeſty knows that both he and his Father had come in long ſince but for doing your Majeſty better Service by forbearing it for a Time.* That her Majeſty ſent back a Meſſage by the ſaid *Keys* both to Sir *John Hotham* and to his Maſter Captain *Hotham*, but ſaid that both Sir *John* and his Son might have done theſe things long before, and that they ſhould both be freely pardoned both by his Majeſty and her ſelf.

8. That after this, being Releaſed out of *Nottingham* Caſtle, he went to *Lincoln* and gave out many ſcandalous and invective Speeches againſt the Parliament to Collonel *Roſciter* with ſome Inticements to betray his Truſt; ſaying you ſhall ſee in a ſhort time there will be never a Gentleman but will be gone to the King.

9. That the Priſoner going from *Lincoln* to *Hull* to his Father; preſently after both his Father and He received Letters from the Earl of *Newcaſtle* about betraying of *Hull* and other matters; And the day before he and his Father were apprehended at *Hull*, *viz.*, *June* 28 1643. The Priſoner wrote to the Earl of *Newcaſtle* an Anſwer to his Letters, which was found in his Chamber having not time to ſend it away, which Letter was as followeth.

My Noble Lord!

Cap. Hothams *Letter to the Earl of* Newcaſtle.

I Confeſs it is a very great Comfort to me in my diſtracted Condition, that I am bleſt with a Friend hath ſo much Truth and Nobleneſs. It is true, the fickleneſs of thoſe Men reduced me into uncertainty as that I never knew in what Condition I ſtood; and ſo could not give you ſatisfaction then, according as (it may be) you expected: yet you will not find, that ever I ſhewed or communicated your Letters to any but thoſe who were privy to it, and can add to the Advancement of the Buſineſs in hand, and not any ways to abuſe you, as ſome would make you believe. The malice of my Enemies hath been violent againſt me, but God hath delivered me out of their hands. I never expected better from the popularity, for none of thoſe ever rewarded their beſt Citizens with any thing but Death or Baniſhment. As I reſolved I would never forſake the Party I had undertaken untill they had (without all Cauſe given by me) ſo diſoblieged me that no Man can think that my Honour or Honeſty is further engaged to ſerve them. I confeſs I now think my ſelf a Free man from them, and reſolve by the Grace of God never to ſerve them more. I cannot yet attend your Lordſhip, but I ſhall mightily diſſerve you, until Buſineſs be well framed here; which I hope will be ſhortly;

If

20 Caroli.

If I could but obtain ſo much Favour from you, that Sir Hugh Cholmley *might be commanded to forbear the Eaſt riding one Fortnight, elſe we ſhall be neceſſitated to be at blows with him continually: Not that he can do any harm here, but he will mightily trouble us whilſt greater Buſineſs ſhould go forward. I ſhall deſire to know whether* ——— *were Executed after his Pardon. My Lord if I be taken the ſecond time it ſhall be much againſt my Will, eſpecially by thoſe that call themſelves my Friends; As ſoon as I have diſpatched I intend to know your Commands to*

Hull January 18th 1643

Your moſt humble and affectionate Servant

John Hotham.

If you pleaſe to exchange Captain Wray *for Major* Anderſon, *I ſhall ſend him to you.*

The Examining of Witneſſes to prove theſe particulars took up *Monday* and *Tueſday*, and then Captain *Hotham* was ordered to be brought again on *Thurſday* to make his Defence, which he performed with great Ingenuity and Laborioufneſs, continuing all that day and the next, and part of *Saturday*. The Matters he chiefly inſiſted upon were,

Capt. Hotham *his Defence.*

1. As for his Treaties with the King's Party, the ſame were for the Parliaments Advantage, and for ſettling a Courſe for the Exchange of Priſoners and the like; which he conceived he might ſafely do without acquainting the Generaliſſimo, and to that purpoſe pleaded the priviledge of Commanders and the Examples of divers in the like Caſe; further urging that he knew no Law againſt it, nor that it was prohibited by the Ordinances of War.

2. That before he Adventured upon ſuch Treaties, he ſtill had the Advice of his Commander in Chief, *viz.* Sir *John Hotham*, and ſome of his own Captains.

3. As for his not fighting the Queens Convoy in their paſſage from *Burlington* to *York*, he inſiſted, that they were far ſtronger than he, yet he Ventured and Charged their Rear, as far as he might with ſafety; And that he had learnt this Maxime of War ——*That a Commander in Chief is not to Adventure upon an Enemy: but either upon an Advantage or Compel'd by Neceſſity.*

4. Touching the Buſineſs betwixt him and Lieutenant General *Cromwel* in *Lincolnſhire*; he offered to prove, that he did charge the Enemies Right Wing to the utmoſt, though it proved not ſo effectual as Lieutenant General *Cromwel's* charge on the other Wing.

5. That when he was committed to *Nottingham* Caſtle not knowing his Crimes, or by whoſe Order he was ſecured he ſent to his Father to *Hull* to enquire the Cauſe thereof; But denied he ſent his Servant to *Newark* to the Queen as is alledged, and made many Objections againſt the Teſtimony of *John Keys* concerning that matter.

6. That the Words ſpoken to Collonel *Roſciter* after he was releaſed from *Nottingham* Caſtle, were in his paſſion, but he recalled them upon his better coming to himſelf, and was very ſorrowful for them, deſiring that his Errours in Paſſion might not be drawn into Crimes.

7. He alledged, that had he intended to have deſerted the Parliament, he ſhould have broken it ſome ways to ſome of his Officers, and allured them to joyn with him in the ſame Deſign which he was confident it could never be proved that he did.

8. He confeſſed, that after he came to *Hull* before he was laſt apprehended, he did receive a Letter from the Earl of *Newcaſtle*, and his Father another. And that by his Fathers Direction he writ a plauſible Anſwer (being the Letter ſeiz'd in his Chamber before it was ſent away) to the Earl, the better to hold him in hand, that they might enlarge their Quarters about *Hull*, which otherwiſe had been much ſtreightened.

9. To Corroborate all which and take off the Credit of the Evidence againſt him, he produced a great Number of Witneſſes, who being heard, the Advocate Replyed, and on *Tueſday* the 24*th of December*, He likewiſe received Sentence to be Beheaded.

Capt. Hotham *Condemned. Lords would Reprieve Sir* J. Hotham.

On *Saturday December* 28*th* A Meſſage was ſent from the Lords to the Commons with a Petition from Sir *John Hotham*, praying a Pardon (as to Life) for himſelf and his Son; and that the Lords upon the ſaid Petition were willing to grant Sir *John Hotham* his own Life, and deſired the concurrence of the Houſe of Commons therein;

An. 1644. therein; which occaſioned a long Debate, and was Reſumed again on *Monday*, and then carried in the Negative.

So that *Tueſday* the laſt of *December* being the day formerly appointed for Sir *John*'s Execution, great Multitudes of Spectators were Aſſembled, and the Scaffold, his Coffin, the Executioner and all things were in a readineſs, but about eleven of the Clock in the Forenoon, as he was coming from the *Tower* towards the *Hill*, attended by the Lieutenant and the Provoſt Martial, and the Guard and divers Gentlemen and Miniſters; A Meſſenger came riding with a Reprieve from the Houſe of Peers directed to the Lieutenant of the *Tower* and Provoſt Martial requiring them to defer the Execution until *Saturday* following, upon which he was carried back to the *Tower*.

The Houſe of Commons having notice that the Execution was deferred, they not aſſenting nor being privy to any Reprieve; ſent an Order to know the Cauſe why Execution was not done upon Sir *John Hotham*; who the next day *January* the firſt 164$\frac{4}{5}$, acquainting them with the ſaid Reprieve from the Houſe of Peers, the Commons after ſome debate paſſed an Order, that no Officer or Miniſters of Juſtice, ſhall hereafter ſtay the Execution of Juſtice upon any particular Order or Reprieve from either Houſe of Parliament without the Concurrence of both Houſes. And this Order to be ſent to the Commiſſioners for Martial Law, to the Lieutenant of the *Tower*, and the Provoſt Martial. And further Ordered that the Lieutenant of the *Tower* do Proceed to the Execution of Sir *John Hotham* according to the Sentence of the Court Martial.

Hereupon finding no hopes of the Fathers Pardon, the following Petitions were immediately preferred on behalf of the Son, both written with his own hand who was on this very day appointed to ſuffer.

Captain Hotham's *Petition to the Lords.*

To the Right Honourable the Houſe of Peers in Parliament.

The Humble Petition of Captain *John Hotham.*

Humbly Sheweth,

" THat he acknowledgeth that he hath juſtly merited your heavy Diſpleaſure, " and deſerveth the greateſt puniſhment that can be inflicted upon him, " for that he hath requited your abundant Favours with Ingratitude, Arrogance " and Folly; He well knows that he deſerves not any Mercy; Neither ſhould " he have moved you in it, if your Honour's Clemency, his deſolate Family, the " Tears and Lamentations of a poor Wife and helpleſs Children, did not move " him to ſue for Mercy. He hath forborn to trouble you, or Intereſt your good " Intentions, whilſt there was Hope of Mercy to his diſtreſſed Father; But hear- " ing to his great Grief that Sentence is unrevoked, He is bold to preſent his " miſerable Condition to their merciful Conſideration.

" And humbly prays, that whereas a Sentence of Death is paſſed upon him by " the Council of War that you would mitigate his Puniſhment and change " it into Fine or Baniſhment or both, and your Petitioner

will daily and duely pray, &c.

John Hotham.

To

20 Caroli.

To the Honourable the Houſe of Commons in Parliament aſſembled.

To the Commons.

The humble Petition of Captain *John Hotham.*

Humbly ſheweth,

"That he acknowledged his Faults and his Follies committed againſt you "are ſo many, that all the Puniſhment that you can inflict will be accord- "ing to Juſtice, your great and abundant Favours he hath requited with Arrogancy "and Negligence; ſo that if his Knowledge of your great Mercy to Offenders "did not encourage him, the Conſciouſneſs of his own unworthineſs would have "kept him from hoping for Favour; But the Crys and Tears of a poor Wife, "helpleſs Children, deſolated Family hath moved him a poor Condemned Com- "moner to fly for Mercy to the Commons of *England*, and he hath forborn thus "long to Petition you, becauſe there was hopes your Mercy would have been "extended to his poor diſtreſſed Father, and he would not give Interruption to "his Petition although it had coſt him his own Life, but ſince to his great Grief "he hears the Sentence is unrevoked,

"He humbly prays that your great Clemency and Mercy will look upon him "in the next place, and mitigate his heavy Sentence of Death into Baniſh- "ment and Fine, or what other Puniſhment you pleaſe; And your Petitioner, "his Wife and poor Children will daily pray for Proſperity to your Affairs "and will remain

your humble Petitioner

John. Hotham.

Cap. Hothams *Execution.* January 1.

Theſe Petitions not availing, he was the ſame day toward Noon brought to the Scaffold on *Tower-Hill*, where Mr. *Coleman* Miniſter of the *Tower* made a Prayer Captain *Hotham* joyning with him, and after that the Captain made a Prayer himſelf, and then riſing up and turning to the People; He ſpake as followeth.

His Speech.

Gentlemen,

YOu ſee in what a Condition I ſtand, you all come here to look upon me as a Spectacle of Shame and Juſtice; And I believe many of you are poſſeſt with Apprehenſion of great Crimes and Treaſons that I have committed againſt the Parliament; Thoſe things, I muſt declare to you all, this Conſcience knows no Guilt of; what I have advantag'd the Parliaments Cauſe is notorious, and that I did never diſadvantage it, I think is proved alſo; I have been very violent in the Parliament and did many things according to the Swinge of the Times; I did engage my ſelf in their Cauſe, I did them Service in poſſeſſing of Hull, *I preſerved the Forts, Magazine, Towns, and Forces, and never miſcarried in any Attempt. It hath pleaſed God to bring me to this End for my Sins againſt him, which I acknowledge to be juſt; But not for any Treaſon againſt the Parliament, neither do I know any Treaſon or Intention of Treaſon in my poor Father who lies in the ſame Condition that I do, whatever other Men do call Treaſon; This I teſtify to all here,* ——— And having ſpoken ſome other Words to the ſame purpoſe, Mr. *Coleman* prayed again, and the Priſoner prepared himſelf for the Block, whereon having laid his Head, the Executioner at one Blow ſever'd it from his Body, which his Brother Mr. *Durant Hotham* ſtanding by took up wrapt in a Scarf, and laid it together with his Body in the Coffin.

Sir John Hotham *executed* January 2.

The next day his Father Sir *John Hotham* was Conducted to the ſame place, where Mr. *Peters* attending him, firſt told the People; That it was the deſire of Sir *John Hotham*, that ſince he had in his Chamber fully diſcovered his mind to him and other Miniſters, many Queſtions might not be put to him, but that he might have Liberty to ſpeak only what he thought fit concerning himſelf. ——— Then Sir *John* coming up to the Rail put off his Hat and ſpake as followeth.

An. 1644

Sir John Hotham's *Speech.*

Gentlemen,

" I know no more of my ſelf, but this, that I deſerve this Death from Almighty " God, nay that I deſerve Damnation and the ſevereſt Puniſhments from him. But " as for the Buſineſs of *Hull*, the betraying of it from the Parliament, the Miniſters " have all been with me, and given me good Counſel; neither was I any ways " Guilty of it; that is all I can ſay to that Act; For other Offences, raſh Words, " Anger and ſuch things, no Man hath been more Guilty, I beſeech God to for- " give me; I have received as many Favours as any Man from God, and I have " been as ungrateful as any Man could be; But God Almighty (I hope) has " forgiven me my Sins, and I deſire you all to pray God for me that I may be " forgiven.

" I hope God Almighty will forgive me, the Parliament and the Court Martial, " and all Men that have had any thing to do with my Death. And Gentlemen! I " thank this worthy Gentleman (*) for putting me in mind of it; and I pray " God bring more things into my Memory; And Gentlemen! look to it all, as I; " I have received many Mercies from God, and have been unfruitful ungrateful " to him under them, and God Almighty hath let me ſee, that though for this " Offence whereof I am accuſed, he hath not done it; yet he hath brought this " Affliction upon me to ſave my Soul, by and through the Merits of Jeſus Chriſt, " for alas this Affliction is nothing to all my Sins; God Almighty kept me from " my Tryal at St. *Albans* and other Places, to bring me to this Place, that I hope " I ſhall glorify God in, and his bleſſed Name be for ever glorified,

(*) *He was hereunto moved by Mr.* Peters.

Then Mr. *Peters* ſpake again and told the Audience, that he had ſomething further to Commend unto them from Sir *John Hotham*, which was, that he had lived in abundance of Plenty, his Eſtate large, about 2000 *l.* a Year at firſt, and that he had gained much to it; That in the beginning of his days he was a Soldier in the Low Countries, and was at the Battle of *Prague*: That at his firſt going out for a Soldier his Father ſpake to him to this effect; *Son! when the Crown of* England *lies at Stake you will have fighting enough.* That he had run through great Hazards and Undertakings and now coming to this End, deſired that they would take notice in him of the Vanitie of all things here below, as Wit, Parts, Proweſs, Strength, Friends, Honour, or what elſe.

Then Mr. *Peters* having prayed, and after him Sir *John*, they ſung the 38 Pſalm, and Sir *John* kneeling behind the Block ſpent above a quarter of an Hour in private Prayer; After which lying down the Executioner at one Blow did his Office.

Mr. Leſtrange

The next that paſſed a Tryal at this Court Martial, was Mr. *Roger L' Eſtrange*, (a younger Son of Sir *Hammond L' Eſtrange* of *Norfolk*) who having entertained ſome Hopes of Reducing the *Town* of *Lynn* in that County then in the Hands of the Parliament, obtained from his Majeſty the following Commiſſion.

CHARLES R.

The Kings Commiſſion to Mr. Leſtrange *for reducing* Lynn. Nov. 28, 1644

" WE having received from our Truſty and well beloved *Roger L' Eſtrange*, " declarations of the good Affections of divers of our well affected Subjects " of our Counties of *Norfolk* and *Suffolk*, and particularly of our Town of *Lynn*, " as alſo ſome Overtures concerning the reducing of our ſaid Town of *Lynn*, " we have thought fit forthwith to return our Royal Thanks unto our ſaid well " affected Subjects; and particularly to give our ſaid truſty and well beloved " *Roger L' Eſtrange* theſe Encouragements to proceed in our Service, principally in " the Work of Reducing the ſaid Town of *Lynn*.

" 1. That in caſe that Attempt ſhall be gone through withal, he the ſaid *Roger* " *L' Eſtrange* ſhall have the Government of the Place.

" 2. That what Engagements ſhall be made unto the Inhabitants of the ſaid " Place, or any other Perſon capable of contributing effectually to that Service, " by way of Reward, either in Employment in his Majeſties Navy, or Forts, " or in Monies, not exceeding the Sum of 5000 Pounds, the Service being " performed, ſhall be punctually made good unto them.

" 3. That they ſhall in this Work receive what aſſiſtance may be given them " from any of our neareſt Gariſons.

" 4. That when our ſaid Town ſhall be reduced unto our Obedience we ſhall " forthwith

20 *Caroli.*

" forthwith ſend thither ſuch a conſiderable power, as ſhall be ſufficient to relieve " and preſerve them; we being at preſent (even without this) fully reſolved to " ſend a conſiderable Power to encourage our faithful Subjects in thoſe Parts, and " to regain our Rights and Intereſts there.

Given at our Court at *Oxford*, this 28th of *November* 1644.

By his Majeſties Command.

George Digby.

Mr. Leſtrange *his proceeding.*

Armed with this Commiſſion Mr. *L' Eſtrange* ſends for one *Leaman* a Sea-Captain belonging to *Lynn*, with whom he had Acquaintance, to meet him at Mr. *Paſtons* Houſe at *Appleton-Hall*, where he treated with him and ſhewed him his Commiſſion, and as *Leaman* atteſted, promiſed him a 1000 *l.* and Preferment if he would be an Aſſiſtant in making a Party within the Town to deliver it up; whereunto he expreſſed a Compliance, promiſing to meet him the next day to Adviſe further; but in the mean time acquainted the Governour Collonel *Walton*; who ordered him to go again accordingly, and to take with him a Corporal of his, dreſſed in the Habit of a Seaman, and Mr. *L' Eſtrange* queſtioning him who he was, the Captain anſwered, *a Man for their turn*, and the Corporal told him that he was a poor Man living in *Fiſhers-End* in *Lynn*, and *kept an Ale-houſe* and was 40 *l. the worſe for the Round-heads.* To which Mr. *L'Eſtrange* replied, no matter for that, *he ſhould have* 100 *l. for it when the Deſign was accompliſhed*, and *a Cannoneers Place*; which he ſeemingly appeared well pleaſed with; but to diſcover where the Commiſſion was; Captain *Leaman* added; *Mr.* L' Eſtrange! *my Friend by the way as we came queſtioned what ſecurity or power you had, in Caſe the Deſign ſhould be diſcovered? and I told him, you had the King's Commiſſion, which he deſired to be aſſured of*; Whereupon Mr. *L' Eſtrange* ſtept to an hole in the Canopy of his Bed, produced the Commiſſion, read it to them, and put it in his Pocket, in the Interim one Lieutenant *Stubbing* with five Souldiers more in the Habit of poor Seamen, came to the door as deſiring Alms, and being got within the Court Yard, the Gentlewoman of the Houſe ran up and told Mr. *L' Eſtrange* that there were ſix or ſeven poor Soldiers come from *Lynn* a begging, who ſent them down 12 *d.* and wiſhed them to be gone; But they ruſht into the Houſe, and the diſguiſed Corporal ſeized Mr. *L' Eſtrange* who conveyed his Commiſſion to Captain *Leaman*, whom the Lieutenant that came with the Party queſtion'd what he did there Conſulting againſt the State? and ſearching found the Commiſſion, and ſo carried them both in Cuſtody to *Lynn*, where *Leaman* was diſcharged as having acted by order of the Governour. This was the effect of what was Teſtified touching the Circumſtances of this Affair, and Mr. *L' Eſtrange* upon Examination *owned* the Commiſſion and that he intended to have put it in Execution, and ſo was ſent up to *London* and on *December* 19 brought to the door of the Houſe of Commons, and Committed to the Provoſt Martial; And this Ordinance made concerning him.

His Deſign diſcovered.

He is apprehended.

The Ordinance for Trying Leſtrange *by the Court Martial.*

" IT is this day Ordered by the Lords and Commons that *Roger L' Eſtrange* " be referred to the Commiſſioners for Martial Law, and to be ſpeedily pro- " ceeded againſt according to the Proceedings of Martial Law, for being taken " with a Commiſſion from the King for the Delivering of the Town of *Lynn* to " the King and endeavouring accordingly to do it.

John Brown.

Mr. Leſtrange *his Tryal at* Guildhall. Dec. 26, 1644.

Accordingly on *Thurſday December* 26. He was brought to Tryal before the Court Martial in *Guild-Hall* Sir *John Corbet* Preſident, where the Judge Advocate, produced and read the ſeveral *Examinations*, and the before recited *Commiſſion*, and then inſiſted.

1. That this Commiſſion to the Priſoner was not the Commiſſion of a Soldier, to raiſe or conduct any Strength or Men of War; But a Commiſſion of *Bribery* and *Corruption*, being meerly to make a party in the Town by clandeſtine Ways with Baits and promiſes of Money and Preferment.

2. The Priſoner accordingly came with this Commiſſion from the Enemy into the Quarters of the Parliament without *Drum*, *Trumpet* or *Paſs*, which alone brings him within the Danger and Penalty of a Spy.

3. He

An. 1644.

3. He came attended with no manner of Forces as an Enemy, but all alone, in a ſecret Clandeſtine manner, and made choice of a ſolitary place near *Lynn*, to obſcure himſelf the better to effect his treacherous Deſign.

4. That he relyed not on the ſtrength of his own Party, to have ſurprized *Lynn*, but uſed unwarrantable and treacherous means to accompliſh the ſame, promiſing *Leaman* one Thouſand pound, and Corporal *Haggar* one Hundred pounds, and a Cannoneers place (both being then of the Garriſon) if they would Contribute their Aſſiſtance therein.

5. His Deſign was of that Nature, and carried on in ſo clandeſtine a way, as that himſelf thought not fit to Treat upon it, without a ſtrict Obligation of Secreſie.

By all which it appears, That as the Priſoner came not into the Parliament Quarters as a *fair and open Enemy*, but with *treacherous* Ends and Practices; So being now taken in the manner, he may not expect the priviledge of a *juſt Enemy*, but rather the condign Puniſhment which by the Law and Cuſtom of Arms belongs to *Spyes* and *treacherous Conſpirators*. This was the Effect of the *Charge*; To which by way of *Defence* Mr. *L' Eſtrange* alledged and inſiſted.

Mr. Leſtrange *his Defence.*

1. That this Commiſſion is the Commiſſion of a Soldier, Enabling him to Raiſe and Conduct ſuch a Party as ſhould attempt the Surpriſal of the Town. The matter of Money and Preferment is therein expreſly propounded by way of Reward; and to pay the Soldiers is neither Bribery nor Corruption.

2. The Article runs within the *Quarters of the Army*, not *Parliament*; But he was not apprehended within the Quarters of the *Army*; and therefore no *Spy*.

3. That he came attended as an Enemy; that is, enabled to any Act of Hoſtility whatſoever.

4. That he relied upon the ſtrength of his own Party, and uſed warrantable means to accompliſh the ſurprize, *Leaman* was not of the Garriſon, and though *Haggar* was, yet he appeared not to him under that notion. But admit they had been both ſuch, he could have juſtified it, for they voluntarily profered aſſiſt to him, who had been a Traitor or a Fool, if he had either diſcouraged or diſſwaded them.

5. The Deſign was of that Nature, that if diſcovered it were loſt (the Quality and Hazard of all ſurprizes) and therefore he thought not fit to Treat without a ſtrict Obligation of ſecreſy.

From all which he inferred that he came not into their Quarters at all; That he came as a *fair* and *open* Enemy, never pretending to be any other than he was; and had no Treacherous Ends; And therefore being thus apprehended was by the Laws and Cuſtoms of War a *juſt Enemy* and *Priſoner of War*; No Spy or Trecherous Conſpirator; And deſired further time to prepare his Defence and produce Witneſſes.

The *Advocate* replied, that the ſame was unneceſſary, for they proceeded on his own Confeſſion, and take the Caſe as he hath ſet it forth; That his Charge was founded not only on the *ſpecial* Articles and Ordinances of Parliament but upon the general *Rules* and Cuſtom of War, which no Soldier ought to be ignorant of; Amongſt which Laws and Cuſtoms nothing is more notorious, than that for any to come into the Enemies Quarters without a Paſs, Drum, or Trumpet, makes him a Spy; And then to Treat with them of the Garriſon, or draw them to Treat to Betray the Garriſon, makes him a *Traiterous* Conſpirator.

Mr. *L' Eſtrange* urged, that nothing in his Confeſſion rendered him Guilty of their Charge, the ſubſtance thereof being only, that he had ever been of the King's Party, and intended to Execute this Commiſſion; That as to Treachery it was impoſſible he ſhould Betray *a Truſt* he never received, or that he ſhould be both *Enemy* and *Traitor*; and inconſiſtent that the ſame Law which puniſhes the *Deſerter* of his Truſt with Death, ſhould with Death alſo puniſh the *Aſſerter* of it.

Judge *Advocate*. The Priſoner miſtakes the point, he is not charged with *Breach* of Truſt, we do not ſay *he had any Truſt* or that he broke any, but that he did tamper with *thoſe that had a Truſt*, and endeavour by Offers of Money and Preferment to make them *Betray* it; And ſo he did plot, and thoſe were to be his Confederates.

L'Eſtrange. At this rate whoever Summons, Aſſaults, or Beſieges a Place, becauſe

becauſe in ſo doing he endeavours the ſurrendring of it to the Enemy, ſhall be Arraigned as a *Traitor*; The Article involving him in the ſame Danger with thoſe that endeavour the *Betraying* it; Nor hath the Court Martial by its own Laws, power to try an *Enemy*.

20 Carol. I.

Judge *Advocate*, (ſpeaking to the *Preſident*.) It is not what *he ſays* is *Law*, Nor what I ſay is Law, but what *you judge* to be Law. The Caſe is plain, he came without Trumpet, Drum or Paſs, into our Quarters from the Enemy, and there dealt with the Garriſon of *Lynn*, and in that Caſe, came not with the Face of an Enemy, but as a *Spye*.

Mr. *L' Eſtrange* again denied his being a *Spy* becauſe apprehended neither in their Garriſon nor Quarters, for by the Quarters of the Army (he ſaid) was intended the place where the Army or ſome Forces lie enquartered at the time of ſuch perſons apprehenſion; But there were none of the Parliament Soldiers quartered at *Appleton-Hall*, and where no Forces are, there is neither uſe, nor poſſibility of a Spy. Beſides he added, that if he had been a Spy, he were not Triable by that Court, becauſe by the Ordinances whereby they ſit, they are reſtrained to the particular Articles therein ſpecified; amongſt which there is none againſt Spyes.

The *Advocate* ſaid, they proceeded upon a Law Common betwixt them and the Enemy; and read the before recited Ordinance for Trial of this Priſoner, whereby it is ordained he ſhall be tried by the *Commiſſioners for Martial Law* and proceeded againſt *according to the Proceedings of Martial Law*; whereby that Court was not limited to any *particular* Article, but are left to the *Latitude* and ſcope of Martial Law in general, and accordingly had proceeded againſt the Priſoner upon a known and common Rule of Martial proceedings, by which his own party proceed in like Caſes, and therefore had no Cauſe to complain.

To this Mr. *L'Eſtrange* anſwered, that it was true by the Ordinance he was left to the Commiſſioners for Martial Law, to be proceeded againſt *according to Martial Law*, but this muſt be underſtood of *ſuch Martial Law* as they are Commiſſioners for, which is to be determined by the Ordinances that enable them; For ſince they are not Commiſſioners for Executing Martial Law *in the Latitude*, ſo neither muſt their proceedings be in the Latitude.

Then the Court riſing, referr'd the Priſoner till *Saturday* following; On which day the Court met about four of the Clock, and ſpent three or four Hours in private Debate, and then the Priſoner being called to the Bar, he preſſed very importunately to be heard, claiming it as promiſed him that he ſhould have time till this day to ſtrengthen and digeſt his Defence, but this the Court denyed and over-ruled, proceeded to Judgment againſt him as a Spy and treacherous Conſpirator, in endeavouring to betray the Town and Garriſon of *Lynn*, &c. of which that Court Adjudged him guilty, and for the ſame the Sentence of the Court was, that he ſhould be carried back to the place from whence he came and thence to the place of Execution, and there to be Hanged by Neck until he be the dead. Upon receiving this Sentence, he delivered in a paper, which he ſaid was his *Defence*, deſiring the Court to read it, if they would not hear it.

Mr. L'eſtrange Condemn'd to dye. Dec. 23. 1644.

The day and place was appointed for his Execution, *viz.* In *Smithfield* on *Thurſday* the ſecond of *January* (the ſame day Sir *John Hotham* ſuffered) but in the interim Mr. *L' Eſtrange* petitioned the Houſe of Peers complaining that he had received hard Meaſure, and (in effect) was tried by one Committee and ſentenced by another, *&c.* and therefore prayed a ſuſpenſion of Execution and a Rehearſing of his Cauſe before the Parliament. And about the ſame time there came a Trumpeter from *Oxford* with a Letter from his Highneſs Prince *Rupert* to the Earl of *Eſſex* concerning the ſaid Mr. *L' Eſtrange*, deſiring a Forbearance of Execution (it being a new Caſe in point of War as his Highneſs was informed, for which he is condemned) leaſt the Example thereof occaſion the like uſage of ſuch as adhere to the Parliament from his Majeſties party.

Prince Rupert writes in his Favour.

The Lords granted Mr. *L' Eſtrange's* Petition and on *Wedneſday January* the firſt, ſent a Meſſage to the Commons for their Concurrence, and that the Court Martial be required to Certify the ſtate of Mr. *L' Eſtrange's* Caſe; Wherein the Commons after ſome Debate, did agree with their Lordſhips; And ſo he was Reprieved, and continued in *Newgate* ſeveral Years after, without any further hearing, for which, or his *Liberty*, he made frequent Applications, and at laſt obtained the Latter.

He is reprieved

About

An. 1644.

A Design to Reduce Abington to the King.

About this time there were also Endeavours on foot for Reducing of *Abbington* by an under-hand Treaty, of which it may be fit to give a brief Account as having been managed with much Ingenuity on either side.

About the middle of *September*, 1644. One Mr. *Nathaniel Bernard* a Minister formerly preaching at *Wool-Church* in *London*, but at that time at *Oxford*, sent a Letter by a Trumpet that came about Exchange of Prisoners, to Major General *Brown* the Governour of *Abbington* (with whom he had not only Acquaintance, but some Relation by *Alliance*,) desiring the Release of two Women Servants of Doctor *Dukesons*; and with some Expressions lamenting the Times, in a *Postscript* tells him, he would be glad to Kiss his Hands at *Abbington* if he might have a safe Conduct: But *Brown* returning no Answer, on the 18th. of *October*, Mr. *Bernard* writes again to him from the Lady *Lovelaces* House at *Water Eaton*, pressing again for a Pass to come to him, for that (says the Letter) *I have a request to propose to you, which is for my safety and your Honour.* Upon this, *Brown* sends him a pass, entertains him, when he came, at Dinner with several of his Officers; after which Mr. *Bernard* desires a few words with him in private; and in a very handsom Discourse under General Terms expresses his Wishes and Desires that they were both of one side, *&c.* To which *Brown* answered, That he prayed for nothing more than a good Conscience, and (says he) if I thought my self in an Error, I would not be long in leaving it; This gave *Bernard* hopes of prevailing, and therefore desired Liberty to write to him, which *Brown* granted, and so they parted.

But to prosecute the Design, Mr. *Bernard* having writ once or twice to him at a distance, and received suitable Answers, accosts him more closely in the Letter following.

Mr. Bernard's *Letter to* Brown.

SIR,

" I Am commanded to let you know, that his Majesty cannot but wonder, that " you who being recommended to him for many worthy Parts and Actions, de- " claring you no Stranger to Vertue and Noble Qualities, as one no way aspersed " with any infamous factious Inclination in your self in times past; One whom " he nor his former Government hath ever wronged; He having never taken the " Staff of Lord Chamberlain from you, nor were you ever fined Fifteen Hundred " Pound in the Star Chamber at the Suit of Sir *Thomas Reynolds* as the Case is of " *Essex* and *Waller* (wherein yet he denies that either of them were Wronged or " Injured) No Wife taken from you in his Father's days, nor your Father Beheaded " in the days of Queen *Elizabeth*; that you who was never thought of so low " or broken a Fortune as some *Scotish* Reformers, who were so far from a schis- " matical Spirit that you have obliged Orthodox Divines (now his Co-Sufferers) " to bear you an Honourable Testimony; That you to whom he never so much " as in thought intended other than Good when occasion offered it self; That you " whose moderation in other things hath witnessed, that you want neither Valour " nor Courtesy, that YOU should not only joyn with, but lead on his Subjects " Armed against his Life, Crown and Kingdom, when he hath declared with so " much Vehemency, and (to his Knowledge) inward Integrity and Sincerity, his " Resolutions to perform all your desires concerning the true Reformed Protestant " Religion and just Rights of Parliaments, the Liberty and Property of his Subjects; " When there is nothing left that may be desired by equal and just-dealing Men, " but he hath yielded to, that you should be one of them that will never trust him, " till by their means he be kill'd or made a *Prisoner*, or, which is worse, such a " Slave as must never say *No*, or *I will Advise*, to any thing he shall be requi- " red.

" He desires you to make the Case your own, and to judge whether you could " without Defence suffer all that you have to be violently taken from you, " *&c.* Or whether you could find out a way that you would think, were it " your Case, more equal and just for you to go in.

" I am therefore in my way appointed to let you know, that the Place, *Prov.* " 24. 21. is part of that Word of God which shall one day judge the World and " doth (*ipso Facto*) Excommunicate that Party which you are ensnared with; That " that Place, 2 *Tim.* 3. 5. expresly commands you to turn away from such, not- " withstanding their Form of Godliness; And that you are looked upon as *Mor-* " *decai* did on *Ester*, *chap.* 4. *v.* 14. as one advanced for such an occasion as this " to restore the King to his Subjects, and his Subjects to their King. I should have

20 *Caroli.*

" have come ſecretly to you, to have given you Evidence of what I have told you " by the laſt concerning Injuries you ſuffer by your own ſide; and to have made " Honourable and Advantagious Propoſitions to you, both for your own and the " Kingdoms good, with the way of Aſſurance; but though your Letter did " infinitely add to you; yet the News of Hanging ſome of ours at *Abbington* hath " ſtopt my Commiſſion, and ſomewhat daunted my Reſolution for the preſent; " Onely I would pray you to furniſh with a reaſonable Account in your De- " fence.

SIR!

Nov. 8, 1644. *Your moſt Faithful Servant,*

Nath. Bernard.

Brown's *Anſwer.*

SIR,

'TIS true I never Countenanced, but ever abhorred all Faction; Nor do or ſhall I ſide with any Contemning lawful Authority; Neither can I Believe that Revenge is the Cauſe why the Lord General, or Sir William Waller *are in Arms; I am aſſured they as my ſelf have no other Ends but the Kings and Kingdomes Good, and am Confident the Parliaments aims are the ſame, and will appear ſo in the End; Otherwiſe I ſhould turn my Sword againſt them, or any that ſhould ſeek his Majeſties Life, or to Impriſon his Perſon; I ſhall in nothing more willingly Adventure Mine, than in reſcuing him in both; and ſhall chearfully hearken after all Honourable and Advantagious Propoſitions which may prove my own and the Kingdoms good I deny that any of your Party in* Abbington *have been Hanged, nor ſhall any, except by Order of Parliament. I have always given Order for Chriſtian uſage of all Priſoners with me, and wiſh you would do the like by Ours; Sir! you have twice filled your Letters to me with Riddles, which till you make plain to my Underſtanding, I can ſay no more, but I am*

SIR!

Abbington Nov. 11th, 1644. Your Loving Friend and Servant,

Rich. Brown.

Poſtſcript.

Sir! I hold it unſafe for your ſelf to come any more to me, your laſt being here was much diſtaſted.

Some other Letters paſt, wherein Mr. *Bernard* gave him the Promiſe of being made a Baronet, and to have any Place or other Reward he ſhould deſire; aſſuring him there was only one third Perſon privy to this Negotiation, who had full Power to undertake for his Majeſty and who was Honourable and ſo Honeſt that he will ſee all particulars performed. *Brown* replies, *That although he is not ſwayed with mercinary Reſpects, yet he looked for a greater Argument of that Eſteem which the other had ſaid their Party had for him, than the propoſed Reward, which doth not equalize what he is already,* and therefore deſired *immediate Intercourſe with that Honourable Perſon, that from him he may have more ſpecial Grounds of Aſſurance.* Whereupon ſome time after, with a Letter from Mr. *Bernard* the Lord *Digby* ſent him an Encloſed in theſe Words.

SIR,

" HAving had a ſight of your ſeveral Letters to your worthy Kinſman con- " cerning the late Negotiation between you, I find in them ſo much frank- " neſs, ſo much reaſon, and ſo much of a Gentleman, that I ſhould think my ſelf " faulty to all thoſe, ſhould I in any wiſe doubt your Sincerity or forbear out of " any further ſcruples to own my part in what you have received from him. I " ſhall not enter into any Argument with you to alter your Judgment from the " Tenents of that Party to which you have formerly adhered, ſince I conceive

The Lord Digby's *Letter to* Brown.

An. 1644. " you too worthy a Man to have proceeded thus far had not that Converſion been " already wrought. And therefore all that I ſhall apply my Diſcourſe to, ſhall be " to give you the Aſſurance, (which you may rely upon) of his Majeſties great " Senſe and Value of your Diſpoſition to his Service; which I aſſure you is ſo " much upon thoſe handſome Expreſſions which he hath ſeen of it in your Let- " ters, that he doth not ſo much prize the gaining of ſuch a Place as *Abbington*, " as ſuch a Perſon as you to his Service, and not ſo much in Recompence for the " one, as Encouragement to the other, I have full Authority to aſſure you, That you " declaring for him, and putting ſuch of his Forces into *Abbington* as may ſecure " you in it after ſuch a Declaration, you ſhall receive his Majeſties Commiſſion for " the Government of that Place; For the Command (if you deſire it) of a Bri- " gade in his Majeſties Army and a Warrant to be a Baronet. This for the pre- " ſent till I ſhall be more particularly informed by you whether your Inclinations " may point at any other more proper Teſtimony of his Majeſties Favour; In " the mean time, I ſhall only add this, that for Reaſons as well concerning your " ſafety in this Negotiation (in which all Protractions are dangerous) as his " Majeſties Service; It is deſired that there may be ſuddenly a final Concluſion of " this Buſineſs, and if poſſible by *Sunday* next; The particular ways whereof " I ſhall expect Directions in from you; And for my own particular I ſhall deſire " you to remember, that among all the Imputations which his Majeſties Enemies " have caſt upon me, I have never been blaſted with a failing in my Word or " Honour; and I pray be confident I ſhall not begin with you, who, over and " above the uſefulneſs which I promiſe my ſelf of you in my Maſters and the " Kingdom's Buſineſs, have begotten in me a very ſincere deſire of ſeeing you in a " Capacity for me to avow my ſelf

Oxford, November 27th 1644. *Your Affectionate Servant*

George Digby.

Of this Letter *Browne* immediately ſent a Tranſcript to the Committee of both Kingdoms deſiring their Directions, and in the mean time returned this Anſwer.

My Lord!

I Account it no ſmall Honour that any Action of mine ſhould receive from your Lordſhip ſo favourable an Interpretation; and ſhall always eſteem it my greateſt happineſs to be thought capable of doing his Majeſties Service. What Expreſſions ſoever have fallen from me, which your Lordſhip may take notice of, I ſhall make good to the utmoſt of my Power: And have received ſo full ſatisfaction from your Lordſhip's Aſſurance (as concerning the Scope of your Letters) that there is now nothing wanting to any abſolute Concluſion betwixt us, ſaving a ſpeedy proviſion of my Affairs at London, *which will be immediately taken Order for, ſo ſoon as I may adventure a truſty Meſſenger thither, which I preſume your Lordſhip will hold reaſonable; and ſo I reſt*

Abbington November 28th 1644. Your Honour's moſt Humble Servant

Rich. Browne.

The Lord Digby's *ſecond Letter to* Browne.

SIR,

" THE Expreſſions of your laſt Letter to my ſelf, and your worthy Kinſ- " man, added to the former Characters which I have received of your worth, " have raiſed ſuch an aſſurance in me, that I am no more capable of the leaſt " diſtruſt of you, and I ſhall not deceive you, to let you know, that his Majeſty " is poſſeſt with the ſame confidence, ſo that you are looked upon now as one " wholly devoted to his Service, and with ſo much Conſideration of your Perſon " and Abilities, that we cannot but promiſe our ſelves yet greater Advantages by " them, then thoſe that are preſent in view.

" It is very juſt and reaſonable, that you ſhould provide in the beſt manner that " the Condition of Affairs will allow, for what concerns your Fortune at *London*, " and I hope you have not wholly neglected that all this while.

" But

" But I muſt conjure you, that you will uſe all poſſible Expedition in bringing 20 *Carli.*
" our Buſineſs to a final concluſion, for it would be an extream grief to me to be
" an occaſion of misfortune to you; And you cannot be ignorant how dangerous
" ſuſpence is in things of this nature, eſpecially when Prejudices and Jealouſies are
" once broken out, as (by the Letter which was ſent you, and by ſome diſcourſes
" which to my knowledge the Committee let fall at there being here) it is manifeſt
" they are toward you; beſides that, the preſſures of our military Men here for
" ſome enterprize, either for the taking or blocking up of that Place, are daily
" ſuch as I ſuffer much by oppoſing them: And it will be impoſſible for me to di-
" vert them long without acquainting ſome with the true reaſon of my oppoſition,
" whom I am reſolved not to truſt with ſuch a ſecret;

" Wherefore I do moſt heartily deſire you in your next, to aſſign me (if you
" can poſſibly) a certain time that I may procure ſome Diverſion of our Deſigns
" during that, and that you would alſo frankly let me know what your Sway and
" Intereſt with your own Men is likely to be upon that Alteration; and what
" way it will be neceſſary to aſſiſt you with his Majeſties Forces, that they may be
" diſpoſed of accordingly.

" I ſhall not need to recommend to ſo diſcreet a Perſon two Cautions, the one to
" beware of admitting any new Forces into your Garriſon from the Parliament
" that may maſter your Power: The other to be ſure to have ſome truſty perſon
" ſtill by you, as in caſe you ſhould diſcover any Deſign within againſt you, may
" give inſtant Notice hither, with the way to reſcue you, this is the laſt that I ſhall
" adventure to you barefac'd, therefore for future Correſpondency I have ſent
" you the encloſed Cipher, which I hope I ſhall not long make uſe of to diſguiſe
" my being,

Oxford December 1, 1683.

Your very Affectionate Friend and Servant

George Digby.

His

His Lordſhips Cypher before-mentioned.

A	B	C	D	E	F	G	H	I	K	L	M	N	O	P	Q	R	S	T	V	W	X	Y	Z	Null		
9		13		21				1					8						10				25	2	11	22
16	3	35	7	45	11	30	17	29	14	6	20	23	48	22	5	19	13	24	32	18	16	4	28	40	57	289
53	36		31	55	50	33	44	52	58	39	49	37	56	46	41	51	47	38	55	43	42	27	34	59	60	288

King	60	E. of *Eſſex*	82	*Lord*	200	*Men*	300
Queen	62	E. of *March*	83	*Earl*	201	*Money*	301
P. of *Wales*	63	E. *Denby*	84	*Houſe of Lords*	202	*Ammunition*	302
P. *Rupert*	64	L. *Say*	85	*Houſe of Commons*	203	*Powder*	303
P. *Maurice*	65	Sir *W. Waller*	86	*Parliament*	204	*Match*	304
L. *Digby*	66	*Brown*	87	*England*	205	*Proviſion*	305
Gen. *Goring*	67	*Cromwell*	88	*Ireland*	206	*Victual*	306
E. *Northampton*	68	L. *Fairfax*	89	*Scotland*	207	*Horſe*	307
E. *Brainford*	69	E. *Leſley*	90	*Engliſh*	208	*Foot*	308
L. *Biron*	70	*Monjoy*	91	*Iriſh*	209	*Dragoons*	309
Sir *Mar. Langdale*	71			*Scottiſh*	210	*Canon*	310
L. *Hop.*	72			*France*	211	*Garriſon*	311
L. *Gage*	73			*Holland*	212	*Convoy*	312
Sir *Rich. Greenv.*	74					*Governour*	313
Sir *J. Barkley*	75					*Priſoner*	314
Sir *L. Dives*	76					*Pioneer*	315
Marq. of *Montroſs*	78					*Commiſſion*	316
Marq. of *Ormond*	79						

Deciphering.

London	400	*And*	0	1	I	31	D
Oxon	401	*Of*	0.0	2	nul	32	V
Briſtol	402	*In*	100	3	B	33	G
Exon	403	*To*	101	4	Y	34	Z
Plimouth	404	*The*	102	5	Q	35	C
Wallingford	405	*with*	103	6	L	36	B
Abbington	406	*which*	104	7	D	37	N
Reding	407	*when*	105	8	N	38	T
Windſor	408	*where*	106	9	A	39	L
Glocester	409			10	V	40	nul
Tewxbury	410			11	nul	41	Q
Worceſter	411			12	F	42	X
Cheſter	412			13	S	43	W
Shrewsbury	413			14	K	44	H
Beaumaris	414			15	C	45	E
York	415			16	X	46	P
Scarborough	416			17	H	47	S
Newark	417			18	W	48	O
Pomfret	418			19	R	49	M
Croyland	419			20	M	50	F
				21	C	51	R
				22	nul	52	I
				23	N	53	A
				24	T	54	E
				25	Z	55	V
				26	A	56	O
				27	Y	57	nul
				28	Z	58	K
				29	I	59	nul
				30	G	60	nul

After theſe ſeveral Letters interven'd, and the Committee having reinforced the Town with Fifteen Hundred Foot, *Browne* pretending the ſame was a ſurprize to him and for the preſent obſtructed his Deſign, held them in hand, till the middle of *December*; And then the Lord *Digby* beginning to ſuſpect, claims his poſitive Reſolution in theſe Lines. 20 *Caroli.*

The Lord Digby's *third Letter to* Brown.

SIR,

"I Have received yours of Yeſterday, but truly leſs ſatisfaction with it then I "expected, which (together with the Accident lately happened) hath put "it out of my power to preſerve in another that Reliance upon your reality which I "am apt to have; For as I ever deal with much Sincerity my ſelf, ſo I am not "ſubject to ſuſpect others of the contrary. The Accident lately happened is the "taking and Hanging of a Spy of yours which hath raiſed ſuſpitions of you beyond "the power of my alaying; your Action only can do it now. In a Word, if in "return of this I may hear from you what and when you will do in plain Terms, "all and more then hath been promiſed ſhall be performed If not, I am clear "from any Misfortune that may befal you, for which I ſhall be very ſorry, as "having great Diſpoſitions prepared in me to be

Oxford Wedneſday 18 *December*, 1644.

Your Affectionate Friend and Servant

George Digby.

Brown having now compleated his Works (to gain time for which he had ſo far complyed in this Intrigue) makes this Return the next Day.

Brown's Anſwer of Defiance.

My Lord!

YOur juſt diffidence hath broke the Shell and hatcht now at length my juſt defiance: and your Deſign which with much ado I have purſued to the uppermoſt round, is now fit to be turned off.

Is it poſſible that your Lordſhip (my Lord Digby*) ſhould think his Oyl ſo artificially mixt with his Ink as not to betray it's Flatery, or that it could catch like Bird lime? Alas my Lord! perſwading your ſelf thus, you declare to the World, that 'twas Honour and Courtſhip that was the prevailing Argument to fetch your Lordſhip out of that honorable Houſe where once you ſate, but it ſhall never Lure a meaner Man out of* Abbington.

My Lord, let this Letter be the Cypher to all my former; read them over and over again, and ſee whether they do not all breath both in Word and Sence, *Loyalty to his Majeſty, and yet full Reſolution to go through with what I have undertaken; and for the Deſign which I mention ſo much, I thank yours which firſt gave* Life *to it, it is perfected, my* Lord, *it is perfected, and you may come when you will.*

The Deſign was to play with you at your own Game, till our Works (which once were not ſo ſtrong as now you have made them, though at the weakeſt ſhould have been lined with our Lives) were ſtrengthened and accommodated with Men and Proviſions, which I thank God now they are, and therefore I do acquit your Lordſhip of all Misfortune that may befal me.

Oh my Lord, be more tender of the King's Honours and Favours then thus to Hang them out as Colours to invite Treachery and Diſloyalty to come after them: I bleſs God I have in this whole Action been careful to avoid tampering with his Majeſty in all things of this Nature: and for that often practiſed Plot of yours, and that Jeſuited Kinſman of mine to ſow Jealouſies between thoſe who employ me and my Actions (which ſhall dare to look the World in the Face) leave it my Lord, leave it, 'tis threadbare and rotten: and in confidence that I have now written what your Lordſhip lookes for; in which if you have not full ſatisfaction, but ſhall ſcruple any thing, if your Lordſhip ſhall pleaſe to ſend once more, I do aſſure your Honour, your Meſſenger ſhall come and return ſafe; for who knows but that your Lordſhip (in whom there is ſo much

Ingenuity

An. 1644

Ingenuity) may not only now read me right in my Intentions, but alſo hereafter give me thanks for my reality. I am my Lord

Abbington 19 December 1644.

Your Honour's moſt humble Servant

Richard Browne.

Poſtſcript.

My Lord you have Hang'd (as you ſay) a Spy of mine whom I know not; but that you may be balanced in this alſo, this very Morning I will cauſe to be Hanged one of yours condemned by our Council of War ſix Weeks ſince according to an Ordinance of Parliament, reſolving never to be out-done by you either in Civility or Juſtice.

The Lord *Digby's* Reply

S I R,

" I Shall make uſe of the Liberty which you allow me to ſend to you once more, " I profeſs I am very ſorry to find my Wiſhes and my Hopes of your return- " ing to your Duty and Loyalty in ſuch a uſeful manner to the Publique as you " might have done, deceived, but my confidence I aſſure you you have not " abuſed, for I ſeldom ground it but upon great Probability of the Perſons Inte- " grity with whom I deal; a Foundation which I could not well look for, for a " Perſon that had already forfeited his Allegiance: and you muſt excuſe me, from " beleiving that what you have done now proceeds from any firmneſs to your own " Principles in that which you your ſelf think honeſt, (how erroneouſly ſoever) " but rather from ſome new and greater Corruption of Intereſt on that ſide, then " what was propoſed to you on this, whereof I make no doubt but the World " will be a right Judge, when by the publiſhing what has paſſed between us, it " ſhall appear how induſtriouſly and how mercinarily you long courted your own " Corruption before I ever provoked you to it, and offered to you thoſe Rewards " which I did as a proſtituted not ſolicited Perſon, who henceforwards muſt neceſ- " ſarily be infamous of all ſides; on this, both for Treaſon and Treachery, on " the other, for having with ſolemn Renunciations of what you now ſeeme to " think honeſt, ſo long acted a part whereunto no Man can be tempted without " Infamy ſo far as you went Uninvited, unleſs upon a ſincere alteration of Judgment " which no Provocation can make me ſo uncharitable as not to wiſh ſtill moſt hear- " tily to you and all your party, and then I ſhall again ſubſcribe my ſelf,

Oxon this of Decem. 1644.

Your Friend to ſerve you

George Digby.

The Lord *Digby* alſo to render *Brown* ſuſpected by the Parliament writes another Letter to him, and Contrives it ſo that it might fall into other Hands, which ſpake as follows.

The Lord Digby's *laſt Letter.*

Worthy Collonel *Brown*,

IN the firſt place I moſt extreamly lament the unlucky burning (by chance) of the Cypher, wherein all my former Letters, *but onely thoſe which were meant for your well ſerved Maſters ſupervizing, were written: whereby I am conſtrained to venture theſe Miſteries without a Vail, which I ſhould not have done, but that the neceſſity of this inſtant time preſſed it; and that I am as confident as I can be of any thing, that this will come ſafe to your Hands.*

In the next place I muſt chide you for hazarding in your Cozen Bernard's *Packet that other paper of yours, which was ſo little meant for his ſight. But your* Letter of *Defiance which I read out to him, made him ſo mad that he obſerved not my cleanly Conveyance away of the Treaſure within it. For truly I cannot give any other Name to that which contained ſo admirable contrivance and diſpoſition of the principal Scene of our Act.*

You

20 Caroli.

You know my Opinion from the beginning, that I valued Abbington *but as a ſlight part of thoſe Services (which if your Reputation and Truſt with your Maſters could be by any Act upheld) His Majeſty might expect a Perſon of your dexterity and Intereſts, and therefore I willingly conſented to the deſign of ſeeming to make thoſe with whom you were to improve the confidence of you, privy to all our Negotiations with me, though with the inconveniency of making the ſurrender of* Abbington *ſomewhat more difficult, and leſs ſeaſonable by the delay.*

But I muſt confeſs to you with an unfeigned pleaſure, to be ſo excelled, that it was beyond my skill to find out ſuch a way (as that which you reſolve on by blowing up ſo artificially your Magazine) to make Abbington *the King's upon ſuch Conditions as might let you march away unſuſpected and unblemiſht in your power; to do His Majeſty thoſe greater Services aimed at by you.*

I will enlarge no further then to aſſure you that the time and hour upon the blazing Sign given ſhall be punctually obſerved according to your Agreement with our Incomparable Engineer Beckman, *whoſe eſcape ſo artificially and ſo unſuſpectedly, as to your having any hand in it hath ſucceeded even to a Miracle.*

In caſe there ſhall ariſe any difficulty unforeſeen in the courſe propoſed, and that there ſhould need a nearer approach of our Forces either for aſſault or ſurprize, direct your pleaſure to Beckman *by the Conveyance agreed on by you, and it ſhall be punctually executed; for there is no room for diſtruſt when there are ſuch Hoſtages given, for which take it upon my Word, the one, (your Friend) ſhall be as kindly uſed as in your own Houſe and the other as ſafely kept for you as in your Coffers.*

I muſt not conclude without admiring your Incomparable Letter of Defiance, which as if it were to prevent the Scorns being firſt put upon me at London, *I have in great Rage cauſed to be printed here with my Eloquent Anſwer, which I ſend you here incloſed to be preſented (with moderate inſulting) unto your Maſters, to whom certainly the World could not have furniſhed you with a pleaſanter Endeerment, then to have fooled my Lord* Digby, *who can expect no leſs if this Buſineſs be cleanly gone through with, then to ſee you one of their Generals, eſpecially now the reſt are diſplaced by their laſt Vote, Farewel. I have that faith in what I hope for of you, which hath ſeldom deceived*

Your Friend entirely

George Digby.

Poſtſcript.

Since the writing of this, I have a ſmall Agent come in from Abbington *who aſſures me that he ſaw you march out ſince Noon to* Reading, *which I do not beleive; but yet for more ſecurity I have ſent thither the laſt Night to meet you, a Duplicate of this and of the encloſed by a very ſafe Meſſenger, with one of the blank Paſſes you gave me.*

I forgot to tell you my Opinion, that Reading *is a fitter Place for you to march unto upon your Compoſition then* Alisbury, *and lies apter for his Majeſties Service.*

Brown's *laſt Anſwer.*

My Lord,

"YOU are ſo far from winning by playing an after-Game, that you will not "ſave your own Stake (which you Ayme at) by it, for Standers by ſee you "do it very poorly, and dare not throw out your Dice. I find you are ſwelled, "and the Poyſon you vent is worſe than Spider's; but the Web is ſo thin that the "Readers will gueſs by the ridiculouſneſs of your Plot, that it was the King's "Jeſter, not his Secretary that contrived it, and yet by the Wickedneſs of it, will "again conclude that the Devil works Journey-Work to my Lord *Digby*.

"Sir my Magazine is ſafe, and will be when your Diſhonourable under Ground-"Dealings ſhall be blown up; within theſe few days you may expect a Blaze, "but it muſt be of this Machination of *Oxford*'s, wherein your Honour ſhall go "for the *Faux* and the *Garnet*, (I find you can perſonate them both) againſt the "Kingdom, and at ſuch a time as now when you feared His Majeſty, (who I know "hath found you out) ſhould conclude a Peace with his People which you dare "not pray for (I thank God I do daily) nay would ravel in the firſt knitting. You "tell me your Cypher is burnt, it was of your own writing my Lord I ſuppoſe; "I am ſorry your Lordſhips hand ſhould be burnt, it is a ſcurvy hand and ominous.

"But

An. 1644.

" But fear not, your Friends at *London* will ſend your Honour a Copy of it in " print.

" You ſay *Bernard* ſaw not your cleanly Conveyance; I am glad they take your " Lordſhip for a Jugler in *Oxon*, they have done in *London* a long time; but being " your familiar I wonder he ſhould not know your Tricks.

" I am ſorry your Honour ſhould be his Majeſties *Hocus Pocus*, and have the " knacks of cleanly Conveyance. Now the World may ſee which way the King " was conveyed from *London*, the Jewels beyond the Sea, the *Iriſh* Rebels brought " over; which way ſo many Overtures of Peace have appeared and vaniſhed, " ſurely my Lord *Digby*'s Trick of cleanly Conveyance. Play above board my " Lord, that is fitteſt for a Counſel Table.

" My Lord I tax you now for your Incomparable baſe *Beckmans* eſcape, I verily " think he got away by one of your Lordſhips tricks of cleanly Conveyance. You " upbraid me much with my Maſters, my Lord they will anſwer for themſelves, " and it is unworthily done to ſcoff at them whom your Maſter and mine calls his " Parliament: again whether you will or no; and to them I refer you, who are " fit to judge of ſuch Language.

" If I were a proſtitute my Lord as you call me, why did your Honour act the " Pimp, and offer me a reward with ſuch Sollicitations ſo frequently, ſo hotly, ſo " long a while? Let the World judge of your wooings, which ſince they fail, I " look now your Force ſhould venture upon a Rape.

" My Lord you ſay at *Oxford*, that *Londoners* can preach (which is more then " we can ſay of you again, the reſt therefore ſhall be wholeſom Exhortation.) " Do not deſtroy a Noblemans Soul, pitty your ſelf though not the Kingdom, and " let the fear of God be in you to expel Forgeries, even for your own (if not " yours) for his Majeſties ſake and honour, who hath taken you ſo near to himſelf; " for if you counterfeit Hands and Seals of Subjects, it will be Hiſtoried that you " were not chaſt to his, for my ſelf, you ſee my Lord, this plot of yours is ſo " far from moleſting my thoughts, that it makes them merry; for I ſerve a God " and a Cauſe which ſhall make them ſo in Death; yet I hope to live to ſee more " and more the wiſe caught in their own Craftineſs. I am my Lord,

Abbington December 20 1644.

Your Honour's moſt humble Servant

Richard Brown.

Though we have choſen to ſet down theſe ſeveral Tranſactions entire and altogether yet we muſt not omit other Intervening Paſſages in the Interim. As,

Dec. 2. *Mony for the* Scots.

An Ordinance for the raiſing of 66666 *l.* —— 13 *s.* —— 4 *d.* (being another third part of 200000 *l.* agreed by the Ordinance of the 16*th.* of *October* 1643. to be paid by way of loan for the better enabling the *Scots*, for their Aſſiſtance, *&c.*

Dec. 3. *Mony for the maintaining the Forts*, &c. *of* London.

An Ordinance for the raiſing of 6962 *l.* and 4 *s. per Month*, upon the Cities of *London* and *Weſtminſter*, *Tower-Hamlets*, *Borough* of *Southwark* and Lines of Communication, for the Charge and Maintenance of the Forts and Guards to the ſaid Places belonging.

Dec. 6.

An Ordinance of the Exciſe and New-Impoſt on Fleſh and Salt for one whole Year longer.

Dec. 9. *Vote for the Self-denying Ordinance.*

This day paſs'd the Vote for the ſelf-denying Ordinance or that no member of either Houſe ſhould Enjoy any Command or Office, whence followed the New-Modelling of the Army; of which in its proper Place.

Dec. 13. *Iſle of* Wight.

An Ordinance Continuing a former Ordinance of the 15*th.* of *July*, for the ſafety of the Iſle of *Wight* and County of *Southampton*.

Dec. 13. *For ordaining Miniſters in* Lancaſhire.

An Ordinance naming and Empowering certain Miniſters to the Number of twenty one in the County of *Lancaſter* or any ſeven of them to ordain Miniſters *pro tempore*; And that if any Perſon do publickly preach or otherwiſe Exerciſe any Miniſterial Function that ſhall not be ordained or thereunto allowed by ſeven of the ſaid Miniſters, their Names ſhall be returned to both Houſes of Parliament to be dealt with as they in their Wiſdom ſhall think fit.

Dec. 17. *A new Dutchy Seal.*

An Ordinance reciting, That whereas the *Dutchy* Seal belonging to the County *Palatine* of *Lancaſter*, hath been forceably taken from *Chriſtopher Baniſter* Eſquire, Vice-

Vice-Chancellor of the ſaid County by the Forces raiſed againſt the Parliament; In the want whereof neither Sheriff nor Juſtices of Peace could be made for that County, nor Common Juſtice adminiſtred unto the Inhabitants thereof to their unſufferable prejudice and detriment. Therefore they Ordain a new *Dutchy* Seal ſhall be made and ſent to the ſaid *Baniſter*, who is thereby Authorized and Ordered to uſe the ſame. 20 *Caroli.*

An Ordinance of the Lords and Commons Aſſembled in Parliament for the better Obſervation of the Feaſt of the Nativity of Chriſt.

Ordinance for better obſerving Chriſtmas 19 Dec.

Die Jovis, 19 Decembris, 1644.

WHereas ſome Doubts have been raiſed, whether the next Faſt ſhall be Celebrated, becauſe it falleth on the day which heretofore was uſually called the Feaſt of the Nativity of our Saviour; The Lords and Commons in Parliament Aſſembled, do Order and Ordain, that publick Notice be given, that the Faſt appointed to be kept the laſt Wedneſday, *in every Month ought to be obſerved, until it be otherwiſe Ordered by both Houſes of Parliament and that this day, in particular, is to be kept with the more ſolemn Humiliation, becauſe it may call to Remembrance our Sins, and the Sins of our Forefathers, who have turned this Feaſt, pretending the Memory of Chriſt into an extream Forgetfulneſs of him, by giving Liberty to Carnal and Senſual Delights, being contrary to the Life which Chriſt led here on Earth, and to the Spiritual Life of Chriſt in our Souls, for the Sanctifying and Saving whereof Chriſt was pleaſed both to take a Human Life and to lay it down again*

A Succinct Account of the proceedings againſt the Lord Arch-biſhop of Canterbury.

We are now Arrived at the laſt Hours of that Great Churchman *William Laud* Archbiſhop of *Canterbury*. Touching whoſe Impeachment and Commitment; The Charge of the *Scots* Commiſſioners and the firſt Articles by the Commons of *England* exhibited againſt him, we have before given an Account; And for the Remainder that we ſhall here inſert relating to him, we thought it would be more acceptable ſumm'd up all together at this place, than diſperſed at thoſe various and far diſtant times wherein it was Tranſacted.

This Eminent Prelate being Accuſed by the Commons of High Treaſon *December* 18*th.* 1640. and thereupon Committed to the *Black Rod*; on the 26*th.* of *February* following, the Articles before herein recited were brought in againſt him and then he was ſent to the *Tower*. On the 23 of *October* 1643. Additional Articles were carried up to the Houſe of Lords of this Tenor.

Further Articles againſt him.

Further Articles of Impeachment by the Commons Aſſembled in Parliament againſt William Laud *Archbiſhop of* Canterbury *of High Treaſon and divers High Crimes and Miſdemeanors, as followeth.*

I. THAT the ſaid Archbiſhop of *Canterbury* to Introduce an Arbitrary Government within this Realm, and to deſtroy Parliaments in the third and fourth Year of his Majeſties Reign that now is, a Parliament being then called and ſitting at *Weſtminſter*, Traiterouſly and Maliciouſly cauſed the ſaid Parliament to be Diſſolved to the great Grievance of his Majeſties Subjects and prejudice of this Commonwealth. And ſoon after the Diſſolution thereof gave divers Propoſitions under his Hand to *George* then Duke of *Buckingham*, caſting therein many falſe Aſperſions upon the ſaid Parliament, calling it a factious Parliament and falſely

An. 1644. affirming that it had caſt many Scandals upon his Majeſty, and had uſed him like a Child in his Minority, ſtiling them Puritans, and commending the Papiſts for harmleſs and peaceable Subjects.

II. That within the ſpace of Ten Years laſt paſt, the ſaid Archbiſhop hath treacherouſly endeavoured to ſubvert the Fundamental Laws of this Realm; and to that end hath in like manner endeavoured to advance the Power of the Council-Table; The Canons of the Church; and the King's Prerogative above the Laws and Statutes of the Realm. And for Manifeſtation thereof about ſix Years laſt paſt, being then a privy Counſellor to his Majeſty and ſitting at the Council-Table, he ſaid, that as long as he ſate there, they ſhould know, that an Order of that Board ſhould be of equal force with a Law or Act of Parliament; And at another time uſed theſe Words, that he hoped ere long, that the Canons of the Church, and the King's Prerogative ſhould be of as great Power as an Act of Parliament; And at another time ſaid, that thoſe that would not yield to the King's Power, he would Cruſh them to pieces.

III. That the ſaid Archbiſhop to Advance the Canons of the Church, and power Eccleſiaſtical above the Law of the Land, and to pervert and hinder the Courſe of Juſtice, hath at divers times within the ſaid time by his Letters and other undue Means and Solicitations uſed to Judges, oppoſed and ſtopped the Granting of His Majeſties Writs of prohibition, where the ſame ought to have been granted for ſtay of proceedings in the Eccleſiaſtical Court; whereby Juſtice hath been delayed and hindred, and the Judges diverted from doing their Duties.

IV. That for the end and purpoſe aforeſaid about ſeven Years laſt paſt, a Judgment being given in his Majeſties Court of *King's-Bench* againſt one *Burley* a Parſon, being a Man of bad Life and Converſation, in an Information upon the Statute of 21 *Hen.* 8. for willful Non-Reſidency, the ſaid Archbiſhop by Sollicitations and other undue means uſed to the Judges of that Court, cauſed Execution upon the ſaid Judgment to be ſtayed; And being moved therein, and made acquainted with the bad Life and Converſation of the ſaid Parſon, he ſaid, that he had ſpoken to the Judges for him, and that he would never ſuffer a Judgment to paſs againſt any Clergy-man by *Nihil dicit*.

V. That the ſaid Archbiſhop about eight Years laſt paſt being then alſo a privy Counſellor to his Majeſty for the end and purpoſe aforeſaid, cauſed Sir *John Corbet* of *Stoke* in the County of *Salop* Baronet, then a Juſtice of Peace of the ſaid County to be Committed to the Priſon of the *Fleet*, where he continued Priſoner for the ſpace of half a Year or more, for no other Cauſe, but for calling for the *Petition of Right*, and cauſing it to be read at the Seſſions of the Peace for that County upon a juſt and neceſſary Occaſion. And during the time of his ſaid Impriſonment, the ſaid Archbiſhop without any Colour of Right, by a Writing under the Seal of his Archbiſhoprick granted away a parcel of the *Glebe-land* of the Church of *Adderly* in the ſaid County, whereof the ſaid Sir *John Corbet* was then Patron, unto *Robert* Viſcount *Killmurrey* without the conſent of the ſaid Sir *John*, or the then Incumbent of the ſaid Church, which ſaid Viſcount *Killmurrey* built a Chappel upon the ſaid parcel of *Glebe-land*, to the great prejudice of the ſaid Sir *John Corbet* which hath cauſed great Suits and Contentions between them; And whereas the ſaid Sir *John Corbet* had a Judgment againſt Sir *James Stonehouſe* Knight in an Action of Waſt in his Majeſties Court of Common Pleas at *Weſtminſter*, which was afterwards affirmed on a Writ of Error in the *King's-Bench*, and Execution thereupon Awarded; yet the ſaid Sir *John* by means of the ſaid Archbiſhop could not have the effect thereof, but was committed to Priſon by the ſaid Archbiſhop and others at the Council-Table until he had ſubmitted himſelf unto the Order of the ſaid Table, whereby he loſt the Benefit of the ſaid Judgment and Execution.

VI. That whereas divers Gifts and Diſpoſitions of divers Sums of Money were heretofore made by divers charitable and well diſpoſed Perſons for the Buying in of divers Impropriations for the Maintenance of preaching the Word of God in ſeveral Churches; The ſaid Archbiſhop about eight Years laſt paſt wilfully and maliciouſly cauſed the ſaid Gifts, Feoffments, and Conveyances made to the uſes aforeſaid to be over-thrown in his Majeſties Court of Exchequer, contrary to Law, as Things dangerous to the Church and State under the ſpecious pretence

of

20 Caroli.

of Buying in Appropriations, whereby that pious Work was ſuppreſſed and trodden down to the great Diſhonour of God and ſcandal of Religion.

VII. That the ſaid Archbiſhop at ſeveral times, within theſe Ten Years laſt paſt, at *Weſtminſter* and elſewhere within this Realm, contrary to the known Laws of this Land hath endeavoured to Advance Popery and Superſtition within the Realm; And for that end and purpoſe hath witingly and willingly received, harboured and releived divers popiſh Prieſts and Jeſuits, namely one called *Sancta Clara* alias *Damport* a dangerous Perſon, and *Franciſcan Friar*, who having writ a popiſh and ſeditious Book Intituled, *DEUS, NATURA, GRATIA*, wherein the Thirty Nine Articles of the Church of *England* Eſtabliſhed by Act of Parliament, were much Traduced and Scandalized; The ſaid Archbiſhop had divers Conferences with him whilſt he was writing the ſaid Book; And did alſo provide Maintenance and Entertainment for one Monſieur St. *Giles* a popiſh Prieſt at *Oxford* knowing him to be a popiſh Prieſt.

VIII. That the ſaid Archbiſhop about Four Years laſt paſt, at *Weſtminſter* aforeſaid, ſaid, that there muſt be a Blow given to the Church, ſuch as had not been yet given before it could be brought to Conformity, declaring thereby his Intention to be to ſhake and alter the true proteſtant Religion eſtabliſhed in the Church of *England*.

IX. That in or about the Month of *May*, 1640. preſently after the Diſſolution of the laſt Parliament, the ſaid Archbiſhop for the ends and purpoſes aforeſaid, cauſed a Synod or Convocation of the Clergy to be held for the ſeveral Provinces of *Canterbury* and *York*, wherein were made and eſtabliſhed by his means and procurement divers Canons and Conſtitutions Eccleſiaſtical; contrary to the Laws of this Realm, the Rights and Priviledges of Parliament, the Liberty and Propriety of the Subject tending alſo to ſedition and of dangerous Conſequence; And among other Things, the ſaid Archbiſhop cauſed a moſt dangerous and illegal Oath to be therein made and contrived, the Tenor whereof, followeth in theſe Words ——*That I A. B. do ſwear that I do approve the Doctrine and Diſcipline or Government eſtabliſht in the Church of* England, *as containing all things neceſſary to Salvation; And that I will not endeavour by my ſelf or any other, directly or indirectly to bring in any popiſh Doctrine contrary to that which is ſo eſtabliſhed: Nor will I ever give my Conſent to alter the Government of this Church by Archbiſhops, Biſhops, Deans and Archdeacons, &c. as it ſtands now eſtabliſhed, and as by Right it ought to ſtand; Nor yet ever ſubject it to the Uſurpations and Superſtitions of the See of* Rome. *And all theſe things I do plainly and ſincerely acknowledge and ſwear according to the plain and Common Senſe, and underſtanding of the ſame Words, without any Equivocation, or mental Evaſion, or ſecret Reſervation whatſoever. And this I do heartily, willingly and truly upon the Faith of a Chriſtian, ſo help me God in Jeſus Chriſt.* Which Oath the ſaid Archbiſhop himſelf did take, and cauſed divers other Miniſters of the Church to take the ſame upon pain of Suſpenſion and Deprivation of their Livings and other ſevere Penalties; And did alſo cauſe *Godfrey* then Biſhop of *Gloceſter* to be Committed to Priſon for refuſing to ſubſcribe to the ſaid Canons and to take the ſaid Oath: and afterward, the ſaid Biſhop ſubmitting himſelf to take the ſaid Oath, he was ſet at Liberty.

X. That a little before the Calling of the laſt Parliament *Anno* 1640. a Vote being then paſs'd, and a Reſolution taken at the Council-Table, by the Advice of the ſaid Archbiſhop, for aſſiſting of the King in extraordinary ways, if the ſaid Parliament ſhould prove peeviſh, and refuſe to ſupply his Majeſty; The ſaid Archbiſhop wickedly and maliciouſly adviſed his Majeſty to diſſolve the ſaid Parliament, and accordingly the ſame was diſſolved: And preſently after the ſaid Archbiſhop told his Majeſty that now he was Abſolved from all Rules of Govenrment and left free to uſe extraordinary Ways for his Supply.

For all which Matters and Things the ſaid Commons Aſſembled in Parliament in the Name of themſelves and of all the Commons of *England* do Impeach the ſaid Archbiſhop of *Canterbury* of High Treaſon and other High Crimes and Miſdemeanours tending to the Subverſion of our Religion, Laws and Liberties, and to the utter Ruin of this Church and Commonwealth. And the ſaid Commons by proteſtation ſaving to themſelves the Liberty of Exhibiting at any time hereafter any

An. 1644

further or other Accuſation or Impeachment againſt the ſaid *William Laud* Archbiſhop of *Canterbury*, and alſo of Replying to the Anſwer that he ſhall make unto the ſaid Articles or any of them; Or offering proof of the premiſſes or any other Impeachments or Accuſations that ſhall be exhibited by them, as the Cauſe ſhall (according to the Courſe of Parliament) require; do pray that he the ſaid *William Laud* Archbiſhop of *Canterbury* may be called to Anſwer the ſaid ſeveral Crimes and Miſdemeanours, and Receive ſuch condign Puniſhment as the ſame ſhall deſerve; And that ſuch further proceedings may be upon every of them had and uſed againſt him as is agreeable to Law and Juſtice.

Die Lunæ 23 October 1643.

Order for him to put in his Anſwer.

ORdered &c. *That the Lord Archbiſhop of* Canterbury *ſhall put in his Anſwer in writing into this Houſe by the Thirtieth Day of this Inſtant* October, *unto the particular Articles in maintenance of their former Impeachment of High Treaſon and divers high Crimes and Miſdemeanours, brought up from the Houſe of Commons againſt him, and remaining now before the Lords in Parliament.*

The Archbiſhop being ſerved with this Order the ſame day, the next Morning ſent this Petition (written with his own Hand) to the Lords.

To the Honourable the Lords Aſſembled in the High Court of Parliament.

The Arch-Biſhops Petition for Council, &c.

The humble Petition of *William Laud* Archbiſhop of *Canterbury.*

Humbly Sheweth,

THAT *he hath received your Lordſhips Order of* October 23, 1643. *with a Copy of the Articles charged againſt him and requiring him to make Anſwer.*

Moſt humbly prayeth, that according to an Order of that Honourable Houſe, he may have Counſel aſſigned him, and that Maſter Hearne *and Maſter* Chute *may be his Council and may have free Liberty to come unto him, and that he may have ſome Money out of his Eſtate to fee his Council, and defray his other Charges, he having been for this laſt whole Year burthenſome to his Friends. And further, that he may have all his Papers and Books, moſt of which belong to his Defence, which Maſter* Prynne *took from him by Order from the Lords, delivered unto him, that he may be able to anſwer for himſelf. That alſo he may have time and means, to ſend for his* Witneſſes, *which can hardly be done in the time limited. And, that he may have his Servants about him to ſend about his neceſſary Occaſions; And laſtly, that he may have longer time, the Articles being large and many, And he ſhall ever pray,* &c.

William Cant.

Which Petition being read in the Lords Houſe *October* 24, 1643. this Order was made.

Die Martis 24. October. 1643.

Order thereupon.

"UPON the reading of the Petition of the Lord Archbiſhop of *Canterbury* "this day in the Houſe, It is Ordered *&c.* That time is given him until "*Monday* the Sixth of *November* for the putting in his Anſwer in writing into "this Houſe unto the particular Articles brought up from the Houſe of Commons

"in

" in Maintenance of their former Impeachment of High Treaſon, and divers
" High Crimes and Miſdemeanours againſt him. That Maſter *Hearne* and Maſter
" *Chute* are hereby aſſigned of Council for the drawing up of his Anſwer, who
" are to be permitted to have free acceſs in and out to him That this Houſe doth
" hereby recommend to the Committee of Sequeſtrations, that the ſaid Lord
" Archbiſhop ſhall have ſuch means afforded him out of his Eſtate, as will enable
" him to pay his Council, and defray his other Charges; that when his Lordſhip
" ſhall ſet down particularly what Papers and Writings are neceſſary for his De-
" fence that ſhould be reſtored unto him, their Lordſhips will take it into their
" Conſideration. That upon his Lordſhips nominating who ſhall be his Solicitor,
" the Lords will return their Anſwer. And for the Witneſſes when a day ſhall be
" appointed for his Lordſhips Trial, this Houſe will give ſuch Directions therein
" as ſhall be juſt.

Die Sabbati 28. Octob. 1643.

ORdered &c. *That Maſter* Hales *is hereby appointed to be of Council with the Lord Archbiſhop of* Canterbury, *with his other Council already appointed for the drawing of his Anſwer to the Charge of the Houſe of Commons againſt him. And that Maſter* W. Dell, Richard Cobb, *and Maſter* George Smith, *his Lordſhip's Servants ſhall have Liberty to attend the ſaid Archbiſhop's ſeveral Affairs, and be permitted to come in and out unto him, as there ſhall be occaſion.*

Mr. Hales added to the Council before Aſſigned to the Biſhop.

After which *October* 31. he exhibited this Petition to the Lords.

To the Right Honourable the Lords Aſſembled in Parliament.

The Humble Petition of *William* Arch-Biſhop of *Canterbury.*

His Petition to diſtinguiſh the Crimes Charged.

Moſt humbly ſheweth,

" THAT your Petitioner having preſented againſt him, by the Honourable
" Houſe of Commons, to your Lordſhip's, an Impeachment, Intituled,
" *Further Articles of Impeachment by the Commons Aſſembled in Parliament, of*
" *High Treaſon, and divers High Crimes and Miſ-demeanours*; to which by your
" Honourable Order of the Twenty Fourth of *October* annexed, he is directed
" to put in his Anſwer in Writing, by *Monday* the Sixth of *November*; and hath
" thereby Council aſſigned him to draw up the ſame.

" That your Petitioner's Council upon reading of the Articles, finding that as
" well in the Frame as the Concluſion thereof, the Matters of Crime and Miſ-de-
" meanours are ſo Interwoven with References to the Matters thereby charged as
" Treaſon, as they cannot take upon them to diſtinguiſh them, and conceiving it
" not to have been your Lordſhip's Intention by their Aſſignments that they ſhould
" adviſe an Anſwer to any part of the Impeachment charged againſt your Petitioner
" as Treaſon, do forbear to Adviſe your Petitioner's Anſwer to the ſaid Articles
" without ſome Declaration firſt had, which of the ſaid Articles are intended to be
" a Charge of High Treaſon, and which of them of Crimes and Miſdemeanours
" without which your Petitioner is like to be deprived of the Aſſiſtance of Coun-
" cil granted by your Lordſhip's Order.

" Your Petitioner humbly beſeecheth your Lordſhips in this ſo heavy a charge
" on him, from ſo great and Honourable a Body, in ſuch a ſtrait of Time;
" That it may be declared, which of the ſaid Articles are intended to be
" Charges of Crimes and Miſdemeanours onely, in which your Petitioner
" may have the Aſſiſtance of his Council Aſſigned him to adviſe him in his
" Anſwer thereunto; And that your Lordſhips will be further Honourably
" pleaſed to inlarge your Petitioner in the time allotted for his Anſwer.

And your Petitioner ſhall pray, &c.

William Cant.

Upon

An. 1644.

Upon which Petition this Order was formed.

Die Martis 31 Octobris.

Order thereupon.

ORdered &c. *That the Lord Arch-Biſhop of* Canterbury *ſhall have time to put in his Anſwer to the Impeachment of the Houſe of Commons until* Monday *the* 13th. *of* November *next. And that this Houſe doth forbear to declare any Opinion concerning the ſeveral Articles of the ſaid Impeachment, but leaves it to his Council to do and adviſe as his Council ſhall think moſt fitting.*

Die Veneris 10 *Novemb:* 1643.

ORdered, *That the Lieutenant of the* Tower, *or his Deputies ſhall bring in ſafety the Lord-Arch-Biſhop of* Canterbury *before their Lordſhips on* Monday *the* 13th. *of this Inſtant* November, *by Ten of the Clock in the Morning, to put in his Anſwer into the Houſe to the Impeachment of the Houſe of Commons remaining now before the Lords in Parliament, and this to be a ſufficient Warrant, in that behalf.*

To the Gentleman Uſher, &c

On the 13th. of *November*, the Arch-Biſhop appearing at the Lords Barr in Perſon, put in this following Anſwer to the additional Articles exhibited againſt him.

The Arch-Biſhops Anſwer.

" The humble Anſwer of *William* Arch-Biſhop of *Canterbury*, to the further " Articles of Impeachment of High Treaſon and divers High Crimes and " Miſdemeanours exhibited againſt him by the Honourable Houſe of Com- " mons, according to Direction of an Order of this Honourable Houſe of " the 13 of *October* laſt.

" ALL Advantages of Exception to the ſaid Articles of Impeachment, to " this Defendant, ſaved and reſerved, this Defendant humbly ſaith, that " he is not Guilty of all or any the Matters by the ſaid Impeachment charged " in ſuch manner and form as the ſame are by the ſaid Articles of Impeachment " charged.

Alſo upon his Motion the ſame Day to the Lords this Order was made in the favour of him.

Die Lunæ 13 Novemb. 1643.

ORdered *by the Lords in Parliament; That the Lord Arch-Biſhop of* Canterbury's *Council ſhall provide themſelves to adviſe him in point of Law, in all the Articles of the whole Charge, and for the matter of fact when the cauſe comes to be proſecuted by the Houſe of Commons, as there ſhall be need, their Lordſhips will give further Directions in due time.*

On the 11th. of *December* 1643. The Houſe of Commons made this inſuing Order.

11*th.* Decemb. 1643.

ORdered, *That the Committee for the Tryal of the Arch-Biſhop of* Canterbury *do meet this Afternoon at Two of the Clock in the Star-Chamber, to prepare the Evidence againſt the Arch-Biſhop of* Canterbury; *And to ſummon ſuch Witneſſes as are needful, and prepare the Buſineſs fit for Trial, and to acquaint the Houſe when they are ready, and this they are to do with all convenient ſpeed they can, and have power to ſend for Parties, Witneſſes, Papers, Records,* &c. *And the Care thereof, is particularly committed unto Serjeant* Wild.

Die

20 *Caroli.*

Die Mercurii 3. Jan. 1643.

IT *is this Day Ordered by the Lords in Parliament; That this Houſe will proceed againſt* William Laud *Arch-Biſhop of* Canterbury *upon the Impeachment brought up from the Houſe of Commons for High Crimes and Miſdemeanours, on* Monday *Morning next at Ten of the Clock being the Eighth of this Inſtant* January 1643. *At which time the ſaid Arch-Biſhop is to prepare himſelf for his Defence.*

To the Gentleman Uſher attending this Houſe, or his Deputy to be delivered to the Lieutenant of the *Tower*, or his Deputy, for the Arch-Biſhop.

3. *Jan.* 1643.

A Meſſage ſent from the Lords by Sir *Robert Rich*, and Mr. *Page*; The Lords commanded us to put you in mind, that the Arch-Biſhop of *Canterbury* hath put in his Plea to the Impeachment of this Houſe ſent up to the Lords ſometime ſince, which they deſire you to take into Conſideration what is fit to be done in it.

January the Fifth, The Houſe of Commons deſired the Lords to appoint a Committee to Examine ſome Witneſſes upon Oath, againſt the Arch-Biſhop in the preſence of the Committee of the Commons, which was granted.

On the Sixth of *January* the Arch-Biſhop preferred a Petition to the Lords, written with his Secretary Mr. *Dell's* Hand, and ſubſcribed with his own, as follows.

To the Right Honourable the Lords Aſſembled in the High Court of Parliament.

The Humble Petition of *William Laud* Arch-Biſhop of *Canterbury* Priſoner in the *Tower*.

The Arch-Biſhops Petition for further time.

Humbly ſheweth

"THAT your Petitioner having received your Lordſhips Command by "your Honourable Order of the Th rd of this Inſtant *January*, annexed, to "attend and anſwer the Impeachments againſt your Petitioner, from the Honour- "able Houſe of Commons on *Monday* the Eighth of this Inſtant *January*, which is "but five Days diſtance, and at a time when two of his three Council aſſigned "are out of Town, and your Petitioner's Witneſſes reſiding in ſeveral remote "Places cannot be ſummoned in ſo ſhort a time, nor willing happily to come upon "their Summons, without Warrant from your Lordſhips.

"Your Petitioner's moſt humble Suit to your Lordſhips is, that you will "Honourably vouchſafe him ſome more convenient time to ſend for his "Council and Witneſſes to teſtify in the matters of Fact charged againſt "him, and withall to grant the Petitioner your Honourable Order, to com- "mand the Witneſſes ſummoned to attend at the time by your Lordſhips to "be appointed: which his humble Requeſt, your Petitioner had ſooner pre- "ſented to your Lordſhips, but that no Sitting hath been (as your Petitioner "is informed) until this Day, ſithence your Honourable Order in this be- "half made known to him.

And your Petitioner ſhall pray, &c.

William Cant.

Upon

An. 1644.

Upon Reading whereof the Lords made this Order.

Sabbati 6 Jan. 1643.

"WHereas the Houſe formerly appointed Munday, being the Eighth of this Inſtant *January*, 1643. to proceed againſt *William Laud* Arch-Biſhop of *Canterbury*, upon the Impeachment brought up againſt him from the Houſe of Commons, for High Treaſons, and High Crimes and Miſ-demeanours; Upon Reading the Petition of the ſaid Arch-Biſhop, it is this day Ordered by the Lords in Parliament, to the end the Council and Witneſſes of the ſaid Arch-Biſhop, may have competent time to attend the Hearing of the Cauſe, that this Houſe will reſpite the proceedings againſt the ſaid Arch-Biſhop upon the ſaid Impeachments until Tueſday the 16th. of this Inſtant *January*, 1643. at Ten of the Clock in the Morning; at which time the ſaid Arch-Biſhop is peremptorily appointed to provide his Witneſſes, and prepare his Defence unto the ſaid Impeachments.

To the Gentleman Uſher, &c.

In purſuance whereof, on the 15th. of *January*, an Order was made Commanding the Lieutenant of the Tower to bring up his Priſoner accordingly. Who being brought to the Lords Houſe at the time appointed, about Three a Clock that Afternoon, the Lords ſent down this Meſſage to the Houſe of Commons, thus entered in their Journal.

16 *Jan.* 1643.

"A Meſſage from the Lords, by Sir *Robert Rich*, and Mr. *Page*, to acquaint the Houſe that they are ready to hear the Charge upon the Impeachment againſt the Biſhop of *Canterbury*.

Upon this Meſſage the Committee of the Houſe of Commons appointed to manage the Evidence againſt him, went up to the Lords Houſe, and then the Arch-Biſhop being brought to the Bar, after he had there kneeled a little ſpace, was commanded to ſtand up; which Ceremony ended, Mr. *Maynard* one of the Committee, deſired the Lords that the Original and Additional Articles of Impeachment againſt the Arch-Biſhop might be read, which being read accordingly by the Clerk, he then prayed, that the Arch-Biſhops ſeveral Anſwers, to theſe Articles might likewiſe be read: Whereupon the Speaker of the Lords Houſe, commanding them to be read, the Clerk read only his forementioned Anſwer to the Additional Articles, but no Anſwer to the Original, there being never any Anſwer put in unto them.

The Arch-Biſhop having anſwered only the Additional Articles.

Hereupon Mr. *Maynard* ſpake to the Lords to this Effect.

Mr. Maynard his Speech on that occaſion.

My Lords,

"IT now appears to your Lordſhips, how unwilling the Arch-Biſhop is (out of Conſciouſneſs of his own Guilt) to come to his Tryal, that in all this ſpace from his firſt Impeachment; he hath not ſo much as put in any Anſwer to the original Articles, though he had long ſince Council aſigned him for that purpoſe; My Lords this is none of the Commons fault but his own; for your Lordſhips well know that the Commons can take no notice what is done in the Houſe of Peers in a Parliamentary way, but by a Meſſage from your Lordſhips, who after our Articles exhibited, were to call upon the Arch-Biſhop for an Anſwer to them; and your Lordſhips ſending us ſeveral Meſſages heretofore that the Arch-Biſhop had put in his Anſwer to the Articles, and that you were ready to hear our Charge againſt him, and appointing this Day for his Tryal, the Commons thereupon conceived that he had formerly put in his Plea and Anſwer, in due form to all their Articles, but the contrary now appearing both to your Lordſhips and us, it is impoſſible for us to proceed at this time on his Tryal there being no iſſue joyned upon the original Articles, for want of an Anſwer to them, and to proceed upon the Additionals before any Anſwer given to the Originals will

" will be very prepoſterous: wherefore we humbly pray your Lordſhips to order " that the Arch Biſhop may forthwith put in his Anſwer both to the Original and " Additional Articles by the advice of his Council, or otherwiſe, in ſuch a ſort " as he will ſtand to it; And then we ſhall without any delay joyn iſſue with him, " proceed on in his Tryal and Evidence againſt him, when your Lordſhips ſhall " appoint. 20 Caroli.

The Arch Biſhop deſired the Lords that he might adviſe with his Council, whether the Articles were certain and particular enough to be anſwered unto; and that if their Lordſhips ſhould over-rule him to put in his Anſwer to them, he might have convenient time to do it.

Upon this all being commanded to withdraw, the Lords after ſome ſhort debate among themſelves, and upon reading the Arch-Biſhop's Petition to have Mr. *Gerrard* of *Grayes-Inn* aſſigned for his Council to joyn with thoſe formerly aſſigned him, made this enſuing Order.

Die Martis 16th. Jan. 1643.

UPON the reading the Petition of William *Arch-Biſhop of* Canterbury, *It is this Day Ordered by the Lords in Parliament; That Mr.* Richard Gerrard *of* Grayes Inn *be added to the former Council aſſigned to the ſaid Arch-Biſhop to be likewiſe of his Council.*

It is alſo Ordered by the Lords in Parliament, that William *Arch-Biſhop of* Canterbury *ſhall put in his Anſwer in Writing into this Houſe, to the firſt and further Articles of Impeachment brought up from the Houſe of Commons againſt him by* Monday *Morning next peremptorily, and that the ſame Council formerly aſſigned him ſhall be of Council with him.*

On the 19th. of *January* the Arch-Biſhop ſent this Petition to the Lords.

To the Right Honourable the Lords Aſſembled in Parliament.

Another Petition of the Arch-Biſhops.

The humble Petition of *William* Arch-Biſhop of *Canterbury*, Priſoner in the *Tower*:

Sheweth

" THAT whereas your Petitioner having formerly anſwered the particular " Articles exhibited againſt him by the Honourable Houſe of Commons, " and now by your Lordſhips Order of the 16th. of this Inſtant is commanded " to put in his Anſwer to the firſt and further Articles of Impeachment brought " up againſt him by *Monday* Morning next, for doing whereof his former Council " is aſſigned him.

" That your Petitioner having adviſed with his Council concerning the firſt " Articles which were exhibited now almoſt three Years ſithence, finding upon " peruſal and debate of the ſame, that the ſaid former Articles are ſuch, that no " Anſwer can be made thereunto, nor your Petitioner in any wiſe enabled to " prepare for his Defence to the ſame, as they now ſtand.

" That foraſmuch as the ſaid Articles of Impeachment import no leſs then a " Charge of High Treaſon, and foraſmuch as your Petitioner is by his Council " informed that (eſpecially in Caſes of Life) the Defendant is allowed to offer " to the Court where the ſame depends his Exceptions by his Council before any " Plea pleaded.

" Your Petitioner moſt humbly beſeecheth your Lordſhips to appoint a Day " for the hearing of your Petitioner's Council concerning the ſame.

And your Petitioner ſhall pray, &c.

William Cant.

An. 1644.

What Anſwer the Lords returned to this Petition I find not, but on the 20th of *January* they made an Order for the Lieutenant to bring him up on the *Monday* following to put in his Anſwer according to their Order of the Sixteenth.

And in purſuance thereof on the 22th. of *January* the Arch-Biſhop perſonally appearing at the Lords Bar did put in this following Anſwer both to the Commons original and additional Articles.

The Anſwer of the Arch-Biſhop of Canterbury *to the firſt and further Articles of the Houſe of Commons delivered in the* 22th. *of* January, 1643.

The humble Anſwer of William *Arch-Biſhop of* Canterbury *to the firſt and further Articles of Impeachment brought up by the Honourable Houſe of Commons againſt him, and by Order of the Right Honourable the Lords in Parliament of the* 16th. *of this Inſtant directed to be put in.*

The Arch-Biſhops Anſwer to the firſt and further Articles.

" AS to the thirteenth Article of the firſt Articles, and the Matters therein " charged, and all other Matters or Things in the ſame or any of the reſt " of the ſaid Articles contained, which concern any Act of Hoſtility, whether " between the King and his Subjects, or between Subject and Subject, or which " may be conceived to ariſe upon the coming of any *Engliſh* Army againſt *Scot-* " *land*, or upon any Action, Attempt, Aſſiſtance, Council, or Device having " relation thereunto, and falling out by the occaſion of the late Troubles, pre- " ceding the late Concluſion of the Treaty, and return of the *Scottiſh* Army into " *Scotland*, this Defendant ſaith that it is enacted by an Act made during the ſitting " of this preſent Parliament that the ſame and whatſoever hath enſued thereupon, " whether trenching upon the Laws and Liberties of the Church and Kingdom, or " upon his Majeſties Honour and Authority, in no time hereafter may be called " in Queſtion, or reſented as a Wrong national or perſonal, and that no mention " be made thereof in time coming, neither in Judgment, nor out of Judgment, " but that it be held and reputed as though never ſuch things had been thought or " wrought, as by the ſaid Act may more at large appear, with this, that this " Defendant doth averr, that he is none of the Perſons excepted by the ſaid Act, " or the ſaid Offences charged upon this Defendant any of the Offences excepted " by the ſaid Act.

" And as to all the reſt, and further Articles, this Defendant, ſaving to him- " ſelf all Advantages of Exception to the ſaid Articles humbly ſaith, he is *not* " *Guilty* of all or any the Matters by the ſaid Articles charged, in ſuch manner " and form, as the ſame are by the ſaid Articles charged againſt him.

William Cant.

The ſame Day the Lords by Sir *Robert Rich* and Mr. *Page* ſent down this Anſwer of the Arch-Biſhop's to the Houſe of Commons which was read and ordered to be referred to the Committee appointed to manage the Evidence againſt the ſaid Arch-Biſhop, and accordingly delivered to Serjeant *Wild*.

And it was further the ſame Day ordered by the Commons; That the ſaid Committee appointed to manage the Evidence at the Trial of the Arch-Biſhop of *Canterbury* do peremptorily meet this Afternoon at three of the Clock in the Court of Wards upon the Diſtribution of the parts of the Evidence.

Die Martis 4. 1643.

" A Meſſage to be ſent to the Lords to deſire them to appoint a Day for " the Trial of the Biſhop of *Canterbury*: Mr. Serjeant *Wild* went up to " the Lords to appoint a Day for the Trial of the Arch-Biſhop of *Canterbury*, " Serjeant *Wild* brings Anſwer, that the Lords have appointed To-Morrow-ſeven- " Night for the Trial of the Arch-Biſhop of *Canterbury*.

For

20 Car. II.

For which purpoſe the Lords made this following Order.

Die Lunæ 4. Martii, 1644.

ORdered, *That the Arch-Biſhop of* Canterbury *ſhall appear before their Lordſhips on* Tueſday *the* 12th. *of this Inſtant* March *at Nine of the Clock in the Morning. At which time this Houſe will proceed againſt the Arch-Biſhop, upon the firſt and further Articles of Impeachment brought up from the Houſe of Commons againſt him for High Treaſon, and high Crimes and Miſdemeanours; whereof the ſaid Arch-Biſhop is hereby to take notice and provide himſelf accordingly.*

After this the Arch-Biſhop petitioning the Commons Houſe, that Sir *Henry Mildmay* a Member thereof might be examined as a Witneſs for him at his Trial; This Order was thereupon conceived.

9th. Martii. 1644.

THE *humble Petition of* William *Arch-Biſhop of* Canterbury *deſiring that* Henry Mildmay *may be examined as a Witneſs in his Buſineſs, he being to come to his Trial on* Tueſday *next was this day read, and it is ordered according to his Petition that he ſhall be examined as a Witneſs at the Trial of the ſaid Biſhop accordingly. It was likewiſe then Ordered that divers Members of the Houſe of Commons ſhall be examined as Witneſſes againſt him; And that the Lords be moved by Serjeant* Wild, *that ſome Members and Attendants of the Lords Houſe be examined at the Arch-Biſhop's Trial. And that it be referred to the Committee of Sequeſtrations to conſider of ſome convenient Recompence for ſuch Clerks, Solicitors, and others, as have been, or ſhall be imployed in the Tranſcribing of Breviats and other Services done by them to the Committee for the Biſhop of* Canterbury's *Trial.*

The Arch-Biſhops Trial Commences Mar. 12, 1643

On *Thurſday* the 12th. of *March* 164$\frac{3}{4}$, being the Day appointed for the Commencement of his Trial, the Arch-Biſhop about three of the Clock in the Afternoon was brought by the Lieutenant of the *Tower* and Uſher of the *Black-Rod* to the Bar in the Lords Houſe, where after he had kneeled a little ſpace, the Lord *Gray* of *Warke* Speaker *pro Tempore* Commanded him to riſe up; And the Committee of the Houſe of Commons appointed to Manage the Evidence at his Trial, demanded that the ſeveral Articles of their Impeachment againſt him might be read; whereupon one of the Clerks of the Lords Houſe, read both the original and additional Articles before mentioned, and after that his Anſwer, Plea, and Demurrer thereunto.

The Arch-Biſhop then deſired the Lords, that the Houſe of Commons might give in all their Charge and Evidence to all the Articles againſt him together, before he ſhould be put to give his Anſwer to any particular Charge, becauſe he was ancient, his Memory very ſhort, and the Articles General, and that he might anſwer all his Charge together, and not each Day's Evidence by piece-meal. To which on the behalf of the Commons it was anſwered by Mr. *Maynard*:

I. *That if the Arch Biſhop's Memory was ſo bad, it would be far worſe for him to Charge it with anſwering many Particulars, and the whole Evidence againſt him together, than to anſwer every particular Charge each Day, as it ſhould be given in againſt him, whilſt it was freſh in Memory.*

II. *That it might and would be a great Inconvenience to have Witneſſes croſs-examined, upon other Days than thoſe whereon they gave in their Teſtimony againſt the Priſoner.*

III. *That the Lords themſelves would find it difficult to paſs their Judgment upon all the Charge together, without hearing his punctual Anſwer to every particular Proof as it ſhould be given in Evidence, whilſt it was freſh in their Memories.*

IV *Becauſe elſe all the* Witneſſes *which were very many, muſt of neceſſity attend, and be kept in Town from the firſt to the laſt Day of his Trial, which would be a very great Charge and Inconvenience.*

V. *In the Earl of* Strafford's *Caſe, this very Parliament he was put to anſwer every Day to the particular Evidence given againſt him on the ſame Day.*

Upon which Reaſons the Houſe of Peers Ordered that the Arch-Biſhop ſhould

An. 1644.

make his particular Answer to every particular Charge on the same Day it was given in against him.

Then the Arch-Bishop desired, that the House of Commons would sever the Articles which were Treason, from those other Articles which were matter of Crime and Misdemeanour only; that so he might know which of them were Treason and which not; Hereunto Mr. *Maynard* answered, that this they might not do because they were now only to Try the matter of Fact, not Law; And because all the Articles taken together, not each or any particular Article by it self, made up the Treason wherewith he was charged, to wit, his Endeavours to subvert and destroy Religion, the fundamental Laws of the Land, and Government of the Realm, and to bring in Popery and an Arbitrary Tyrannical Government against Law.

Then as an Introduction to the proof of the Charge, Serjeant *Wild* spake to the House of Peers as followeth.

Serjeant Wyld's *Speech.*

My Lords,

Serj. Wylds *Speech against the Archbishop.*

" THis great Cause of the Arch-Bishop of *Canterbury*, after a long and painful " Travail, is now come to the Birth; of which it may be truly said, as it " was in a like Case, *Repertum est hodierno die facinus, quod nec poeta fingere, nec* " *Histrio sonare, nec mimus imitari potuerit.*

" For if all the Oppressions, all the pernicious Practices and Machinations which " have been in each time to ruinate our *Religion*, *Laws* and *Liberties*, were lost; " I think here they might have been found and drawn out again to the Life. So " that your Lordships who have been the great Assertors of our Liberties, and " stood so fast to the Rules and Principles of your Noble Progenitors (which " others have ignobly deserted) may after a long conflict with so many great and " matchless difficulties, say now as a great Commander once did upon an extra- " ordinary danger, *Tandem par animo meo periculum video.* Here is a Cause " proportionable to your selves, apt and proper for the Justice, and Power of " this Honourable Court.

" Had they been faults of common Frailty, Error, or Incogitancy, which this " Man hath committed, we should gladly have stepped back, and cast a Cloak " over them; but being so Wilful, so Universal, so Destructive to the Laws of " God and Man, so comprehensive of all the Evils and Miseries which now we " suffer; the Sin would lye upon our own heads, if we should not call for " Justice: Which that it hath been so long uncalled for (not deferred or delayed) " I suppose no man will think strange, who considers the present Distractions, " the Death and Dispersion of our Witnesses, the loss of some of our Members " who have been imployed and taken pains in this Business; the multitude of " Diversions which we have had, and have daily, occasioned by the Acts and " Influences of this *Meteor.*

" But the Truth survives, and matter enough survives, so copious and so full of " variety, that if all the particulars should be examined, for his three years Impri- " sonment which he complains of, there would be three years time of Tryal and " hearing of the heavy Charge that lies against him, A Charge of High Treason: " Treason in all and every part: Treason in the highest pitch and Altitude; For " what greater Treason can there be, then to betray the whole Realm, and to " subvert the very Foundations, leaving nothing for Posterity, but a Curse upon " him that shall go about to build again.

" That which of it self is so hainous, is much more enhanced and aggravated " by the Quality of the Person: *A Churchman, a Great Prelate*; a Man in *Great* " *Trust*, *Place*, and *Authority* in *Church*, and *Common-Wealth.*

" A Man indued with so great Gifts of Nature, and so many of Grace and " Favour from his Majesty, and for all these to be perverted to a contrary end " even to the Destruction of the publique, and the ruin of the Womb that bare " him, how deep a dye, do these impose upon this foul Crime?

How

20 *Caroli.*

" How Church-men in all Ages (as hath been often obſerved) ſhould come " to be the archeſt Seedſmen of Miſchief, and principal Actors in all the great " Diſtractions and Alterations that have happened, is a Deſtiny that may ſeem " ſtrange. But the Reaſon is, (*Ex bono Theologo malus Medicus*) their inter- " medling with Temporal things and matters *Heterogeneal* to their Calling; where- " in God is pleaſed to ſmite them with Blindneſs, and to infatuate their Counſel; " whereof a perfect Pattern we have in this great *Prelate*, who by abuſing his " Profeſſion, and making the buſineſs of State, the Cuſtomary Subject of all his " Endeavours became the Author of all the Illegal and Tyrannical proceedings " in the *Star Chamber*, *High Commiſſion Court*, and other Courts, of all the In- " novations in Doctrine and Diſcipline, of the ſuppreſſing of Godly Miniſters " and Preaching. Of the advancing of others, who were the promoters of " Popery, and Arbitrary Power, and indeed of all the Concuſſions and Diſtracti- " ons in Church and State, whereby Religion hath been juſtled out, Laws and " Parliaments trodden down with Contempt.

" For matter of Religion, ſurely thoſe times were happy when by the Magna- " nimity of Princes, and the Wiſdom and Piety of our Predeceſſors; the Anti- " chriſtian Yoke of *Popery* was ſhaken off.

" And now after ſo many Bloody Maſſacres in *France*, ſuch Fiery Perſecutions " here in Queen *Maries* Days, ſo many Treacherous Conſpiracies in time of " Queen *Elizabeth*, that execrable and horrid *Powder-Plot* in the late time of " King *James*; ſuch Streams and Rivers of Blood in *Germany* and *Ireland*, and " other parts of the Chriſtian World ever ſince, by thoſe reſtleſs and cruel Fire- " brands of all Miſchief: For any man now to go about to rebuild theſe Walls " of *Jericho*, and to reduce us to thoſe rotten principles of Error and Darkneſs, " how can it be expected better, then that the People ſhould be even ready to " Stone him as they did him that did but act the part of *Bellerophon* in *Rome*.

" But to avoid this danger, he conveys in this poyſon in a guilded Pill, with " Baits and pretences of Reconciliation; a pleaſing Snare, *Laqueus Diaboli* " *ad miſerorum animas ad infernum detrudendas*.

" A Bead Roll of particulars might be recited, wherein this Reconcilement was " to be wrought in points of, *Free-Will*, *Merits*, *Juſtification*, *Univerſal Grace*, " *Purgatory*, and in effect all the reſt.

" To draw on theſe, there muſt be an introducing of Popiſh Ceremonies in all " the particulars contained in the Maſs-Books, and pontificals themſelves, and to " make way for theſe, the Book of Sports muſt be publiſhed and preſſed be- " yond the Kings Intention or Declaration, which was but a civil Command; " but he ſubjoyns Eccleſiaſtical Penalties, even the ſharpeſt, Suſpenſion, Depri- " vation, and the like, theſe executed on divers good and Godly Men with a " high Hand: Thus a Liberty proclaimed not to Captives, but to prophane " Caitiffs; this Day ſet apart by God *ab æterno*, expoſed and proſtituted to all " Looſeneſs and Irreligion, and that by a Law: This Lamb taken out of his " Boſom.

" *Jehoſaphat* ſends Prieſts and Levites into all the Cities and Tribes to inſtruct " them; This *Prelate* ſends Declarations and Injunctions to corrupt them, and to " extinguiſh the Lamp and Light of Religion: In the former Acts he deſtroys the " *Proteſtant*, in this Religion it ſelf: In the one, he leaves Superſtition; in the " other, nothing but Atheiſme and Prophaneneſs: In the one he deſtroys *Presby-* " *ters*, as did *Dioceſian*; in the other *Presbyterium*, as did the Apoſtate *Julian*; " Yet to ſhew his love to Religion, (the *Popes* onely) he holds Correſpondency " with thoſe of *Rome*, Cardinal *Barberino*, *Panzani*, *Con*, *Roſetti*, the *Popes* " *Nuncioes*, Sir *Toby Matthews*, Saint *Clara*, Saint *Gyles*, the moſt dangerous " and deſperate *Jeſuites* and many others *ejuſdem Farinæ*. And by all theſe ſteps " and rounds he makes a Ladder for himſelf to climb up to the *Papal Dignity*, in " example of *Anſelme*, whom (though famous for his contumacy and Rebellion) " yet he calls him his worthy Predeceſſor (as was *Becket* alſo) and is contented " to take upon him, the plenitude of Power, the Title of *Holineſs*, of *Arch-* " *Angel* of this Church, the Lineal Succeſſor of *Gregory* the Firſt, (rather of " *Gregory* the Seventh;) and for all this was well worthy to have theſe two great " Offers made him, recorded in his own Memorials, by theſe that had ability to " perform it (*viz.*) a *Cardinals Cap*; but ſuch was his Modeſty to forbear it, " becauſe though *Rome* be a true Viſible Church in his Opinion, yet ſomething " dwelt with him that hindered it, for a time, to wit, I ſuppoſe his dwelling here.

" For

An. 1644

" For his Attempts againſt the Laws, the Subject's Birth-right, and the Rights of " Parliaments, their chief Support and Refuge, how little regard he had to " them, how much he did deſpiſe and abhor them, making it his Ambition to pre- " fer the Contemners and Abuſers of them, and to ſet up his Canons and Con- " ſtitutions above them, impoſing of unjuſt and unlawful Oaths, Exactions, " Monopolies, all ſorts of Oppreſſions, ſtopping of Prohibitions and courſe of " Juſtice, reſcinding of Acts of Parliament, Advancing of Proclamations, and " all kind of Arbitrary Power above the Laws of God or Man, is fully expreſſed " in the Articles, and will more fully appear in the Evidence. To conclude " *Naaman* was a Great Man, but he was a Leper. This Man's Leproſy hath " ſo infected all, as there remains no other Cure, but the Sword of Juſtice, " which we doubt not but your Lordſhips will ſo apply, that the Common- " Wealth ſhall yet live again and Flouriſh.

When the Serjeant had done, the Arch-Biſhop deſired that he might have Liberty to ſpeak a few Words to wipe off that Durt that had been caſt upon him; which the Lords granting, he made the following Oration which he had prepared for that occaſion, holding it written in a Paper in his hand.

The Arch-Biſhop of Canterbury's *Speech at the Beginning of his Trial.*

My Lords,

MY *being in this Place in this Condition, recals to my Memory that which I long ſince read in* Seneca. Tormentum eſt, etiamſi abſolutus quis fuerit, cauſam dixiſſe (6 de Benef. C. 28.) *'Tis not a Grief only, No; 'tis no leſs than a torment, for an ingenuous Man to plead Capitally, or Criminally, though it ſhould ſo fall out that he be abſolved. The great Truth of this I find at preſent in my ſelf: And ſo much the more becauſe I am a Chriſtian; and not that only, but in Holy Orders; and not ſo only but by God's Grace and Goodneſs preferred to the greateſt Place this Church affords; and yet brought* Cauſam dicere, *to plead for my ſelf at this great Bar.*

And whatſoever the World thinks of me (and they have been taught to think much more ill of me, then, I humbly thank Chriſt for it, I was ever acquainted with) yet my Lords, *this I find,* Tormentum eſt; *'tis no leſs then a Torment to me to appear in this Place.*

For as for the Sentence, be it what it ſhall; I thank God for it; I am for it at Saint Paul's *Ward* (Acts 25. 11.) *If I have committed any thing worthy of Death I refuſe not to dye; For I thank God I have ſo lived as that I am never afraid to die, nor aſhamed to live. But ſeeing the malignity which hath been raiſed againſt me by ſome Men, I have carried my very Life in my Hands theſe divers Years paſt. But yet my Lords, if there be none of theſe things whereof they accuſe me, though I may not in this caſe, and from this Bar appeal unto* Ceſar, *yet to your Lordſhips Juſtice and Integrity, I both may, and do; not doubting, but that God of his Goodneſs will preſerve my Innocency.*

And as Job *in the midſt of his Affliction ſaid to his miſtaken Friends, ſo ſhall I to my Accuſers; God forbid I ſhould juſtifie you; till I die I will not remove my Integrity from me, I will hold it faſt and not let it go; my Heart ſhall not reproach me as long as I live,* Job 22. 5.

My Lords, the Charge againſt me is brought up in ten Articles, but the main heads are two: An Endeavour to ſubvert the Laws of the Land, and the Religion eſtabliſhed. Six Articles, *(the five firſt, and the laſt) concern the Laws, and the other four Religion.*

For the Laws firſt, I think I may ſafely ſay, I have been to my underſtanding, as ſtrict an Obſerver of them all the Days of my life, ſo far as they concern me as any Man hath; and ſince I came into Place I have followed them and been as much guided by them as any Man that ſate where I had the Honour to ſit. And of this I am ſorry I have loſt the Teſtimony of the Lord Keeper Coventry, *and other Perſons of Honour ſince dead.*

And

20 Caroli.

And the Council which attended at the Council Board can witneſs, ſome of them here preſent, that in all References to the Board or Debates ariſing at the Board, I was for that part of the Cauſe, where I found Law to be: and if the Council deſired to have the Cauſe left to the Law, well I might move in ſome Caſes, Charity or Conſcience to them; but I left them to the Law, if thither they would go, and how ſuch a Carriage as this through the whole Courſe of my Life in private and publique can ſtand with an Intention to overthrow the Laws, I cannot yet ſee.

Nay more I have ever been of Opinion, that Laws *bind the Conſcience, and have accordingly made Conſcience of obſerving them: and this Doctrine I have conſtantly preached as occaſion hath been offered me; and how is it poſſible I ſhould ſeek to overthrow thoſe Laws which I held my ſelf bound in Conſcience to keep and obſerve?*

As for Religion, I was born and bred up in, and under the Church of England, *as it ſtands eſtabliſhed by Law; I have by Gods Bleſſing grown up in it, to the Years which are now upon me, and to the Place of Preferment which I now bear. I have ever ſince I have underſtood ought in my Profeſſion, kept one conſtant tenor in this my Profeſſion, without variation or ſhifting from one Opinion to another, for any worldly ends: And if my Conſcience would have ſuffered me to do ſo, I could eaſily have ſlid through all the Difficulties which I have preſt upon me in this kind. But of all Diſeaſes I have ever held, a Palſy in Religion moſt dangerous; well knowing and remembring that Diſeaſe often ends in a dead Palſy.*

Ever ſince I came in Place I have laboured nothing more, then that the external publique Worſhip of God (ſo much ſlighted in divers parts of the Kingdom) might be preſerved and that with as much Decency and Uniformity as might be: For I evidently ſaw, that the publique neglect of God's Service in the outward face of it, and the naſty lying of many Places dedicated to that Service, had almoſt caſt a damp upon the true and inward Worſhip of God, which while we live in the Body needs external helps, and all little enough to keep it in any Vigour. And this I did to the uttermoſt of my Knowledge, according both to Law and Canon, and with the conſent and liking of the People; Nor did any Command iſſue out from me, againſt the one, or without the other.

Further my Lords, *give leave, I beſeech you, to acquaint you with this alſo, that I have as little acquaintance with Recuſants as I believe any Man of my Place of* England *hath, or ever hath ſince the Reformation; and for my Kindred, no one of them was ever a Recuſant, but Sir* William Web, *Grandchild to my Uncle Sir* William Web, *ſometime Lord-Maior of* London, *and ſince which ſome of his Children I reduced back again to the Church of* England.

On this, one thing more I humbly deſire may be thought on, that I am fallen into a great Obloquy in matter of Religion, and that ſo far (as appears by the Articles againſt me) that I have endeavoured to advance and bring in Popery; perhaps my Lords I am not ignorant what party of Men have raiſed theſe Scandals upon me, nor for what end, nor perhaps by whom ſet on; but howſoever, I would feign have a good reaſon given me, if my Conſcience ſtood that way, and that with my Conſcience I could ſubſcribe to the Church of Rome, *what ſhould have kept me here before my Impriſonment to endure the Libelling, and the Slanders, and the baſe uſage that hath been put upon me, and theſe to end in this queſtion for my Life? I ſay I would know a good Reaſon for this.*

Firſt my Lords, is it becauſe I have any pledges in all the World to ſway me againſt my Conſcience? No ſure, for I have neither Wife nor Children to cry out upon me to ſtay with them; And if I had, I hope the calling of my Conſcience ſhould be heard above them.

Is it becauſe I was loath to leave the Honour and Profit of the Place I was riſen to? Surely no, for I deſire your Lordſhips, and all the World to know, I do much ſcorn the one and the other, in Compariſon of my Conſcience. Beſides, it cannot be imagined by any Man, but that if I ſhould have gone over to them, I ſhould not have wanted both Honour and Profit, and ſuppoſe not ſo great as this I have here, yet ſure would my Conſcience have ſerved my ſelf of either, leſs with my Conſcience would have prevailed with me more, then greater againſt my Conſcience.

Is it becauſe I lived here at eaſe, and was loath to venture the loſs of that? not ſo neither; for whatſoever the World may be pleaſed to think of me, I have led a very painful Life, and ſuch as I would have been content to change, had I well known how; and would my Conſcience have ſerved me that way, I am ſure I might have lived at far more eaſe, and either have avoided the barbarous libelling and other bitter grievous Scorns, which have been put upon me, or at leaſt been out of the hearing of them.

Not

An. 1644.

Not to trouble your Lordſhips too long, I am ſo innocent in the Buſineſs of Religion, ſo free from all practice, or ſo much as thought of practice for any alteration unto Popery, or any blemiſhing the true Proteſtant Religion eſtabliſhed in England, *as I was when my Mother firſt bore me into the World. And let nothing be ſpoken but Truth, and I do here challenge whatſoever is between Heaven or Hell, that can be ſaid againſt me in point of my Religion, in which I have ever hated Diſſimulation. And had I not hated it, perhaps I might have been better for worldly ſafety then now I am: but it can no way become a Chriſtian Biſhop to halt with God.*

Laſtly, If I had any purpoſe to blaſt the true Religion eſtabliſhed in the Church of England, *and to introduce Popery, ſure I took a wrong way to it; for my Lords, I have ſtaid more going to* Rome *and reduced more that were already gone, then I believe any Biſhop or Divine in this Kingdom hath done; and ſome of them Men of great Abilities, and ſome Perſons of great Place; and is this the way to introduce Popery? My Lords, if I had blemiſhed the true Proteſtant Religion, how could I have brought theſe Men to it? And if I had promiſed to introduce Popery, I would never have reduced theſe Men from it.*

And that it may appear unto your Lordſhips how many and of what Condition the Perſons are, which by God's Bleſſing upon my Labours, I have ſettled in the true Proteſtant Religion eſtabliſhed in England: *I ſhall briefly name ſome of them, though I cannot do it in order of time, as I converted them.*

Henry Birkinſtead *of* Trinity-Colledge Oxon, *ſeduced by a Jeſuit, and brought to* London; (*the Lords and other conceiving him to be* Birkinhead *the Author of all the Libellous Popiſh* Oxford Aulicuſſes, *againſt the Parliament, at the naming of him ſmiled*;) *which the Arch-Biſhop perceiving, ſaid, my Lords, I mean not* Birkinhead *the Authour of the* Oxford Aulicus, *but another.*

Two Daughters of Sir Richard Lechford, *in* Surry, *ſent towards a Nunnery.*

Two Schollars of St. John's-Colledge, Toppin and Aſhton, *who had got the* French *Embaſſador's Paſs, and after this I allowed means to* Toppin, *and then procured him a Fellowſhip in St.* John's, *and he is at this preſent as hopeful a Young man as any of his time and a Divine.*

Sir William Web, *my Kinſman and two of his Daughters, and his Son I took from him, and his Father being utterly decayed, I bred him at my own Charge, and he is a very good Proteſtant.*

A Gentleman brought to me by Maſter Chesford *his Majeſties Servant, but I cannot recal his Name.*

The Lord Mayo *of* Ireland *brought to me alſo by Maſter* Chesford.

The Right Honourable the Lord Duke of Buckingham, *almoſt quite gone between the Lady his Mother and Siſter.*

The Lady Marqueſs Hamilton *was ſettled by my direction and ſhe died very religiouſly and a Proteſtant.*

Maſter Digby, *who was a Prieſt.*

Maſter James, *a Gentleman brought to me by a Miniſter in* Buckingham-ſhire *as I remember.*

Doctor Hart *the Civilian, my Neighbours Son at* Fulham.

Maſter Chriſtopher Seabourne, *a Gentleman of an ancient Family in* Hereford-ſhire.

The Right Honourable the Counteſs of Buckingham.

Sir William Spencer *of* Parnton.

Maſter Chillingworth.

The Sons and Heirs of Maſter Winchcomb *and Maſter* Wolleſcot *whom I ſent with their Friends to* Wadham-Colledge, Oxford, *and received a Certificate* Anno 1638. *of their continuing in conformity to the Church of* England, *nor did ever any one of theſe named relapſe again, but only the Counteſs of* Buckingham, *and Sir* William Spencer; *it being only in Gods Power not mine to preſerve them from relapſe.*

And now let any Clergy-man of England *come forth and give a better Accompt of his Zeal to the Church.*

The

20 Caroli.

The Heads of the Charge againſt the Archbiſhop.

THE Charge againſt the Archbiſhop, was declared, by the Managers, to conſiſt of many various particular Crimes of high Nature, but reducible to one General Head; to wit, *High Treaſon againſt the King and Kingdom*, thus expreſſed in the firſt Original, and ſecond Additional Articles—*That he hath Traiterouſly endeavoured to ſubvert the Fundamental Laws and Government of the Kingdom of* England, *and inſtead thereof, to introduce an Arbitrary and Tyrannical Government.* This General they diſtributed into four ſpecifical branches in the Articles of his Impeachment, under which all the particular capital Offences, and grand Misdemeanours, which they ſhould give in Evidence againſt him, were comprehenſible, *viz.*

1. His Traiterous endeavours and practiſes to alter and ſubvert Gods true Religion by Law Eſtabliſhed in this Realm, and inſtead thereof, to ſet up Popiſh Superſtition and Idolatry, and reconcile us to the Church of *Rome*; the particulars whereof are ſpecified in the 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th. and 13th. Original, and the 6th. 7th. 8th. and 9th. Additional Articles.

2. His Traiterous Uſurpation of a Papal and Tyrannical Power in the Church of *England* in all Eccleſiaſtical Affairs, in prejudice and derogation of His Majeſties Royal Prerogative, and the Subjects Liberties, compriſed in the ſixth Original Article.

3. His Traiterous attempts and endeavours to ſubvert the Fundamental Temporal Laws, Government and Liberties of the Realm, and Subjects of *England*, and inſtead thereof, to introduce an Arbitrary and Tyrannical Government, againſt the Law, and Subjects Liberties, expreſſed in the firſt, ſecond, third, fourth, fifth, ſixth, and thirteenth Original, and firſt, ſecond, third, fourth, fifth, and tenth, Additional Articles.

4. His Traiterous endeavours to ſubvert the Rights of Parliament, and ancient courſe of Parliamentary proceedings, and by falſe and malicious Slanders, to incenſe His Majeſty againſt Parliaments, contained in the fourteenth Original, and firſt, ninth and tenth, Additional Articles.

To make out all theſe:

The manner of the proceedings in his Trial.

The firſt part of the Evidence, upon the firſt, ſecond, third, and fourth Original, and the ſecond, third, fourth, and tenth Additional Articles, was manag'd by *John Maynard*, Eſq; one of the Commons Houſe, wherein four whole days, namely, *March* 13th. 16th. and 18th. *Anno* 1643. and *March* 28th. 1644. were ſpent; the Forenoons of them in the Evidence and Proofs, the Afternoons in the Archbiſhops Anſwers, and Mr. *Maynard's* Replies unto them.

The ſecond part of the Evidence was proſecuted by *Robert Nicholas*, Eſq; a Member alſo of the Houſe of Commons, which took up three whole days, *viz.* *April* 16th. and *May* the 4th. and the 16th. Morning and Evening in the proof of the fifth and ſixth Original, and ninth Additional Articles, and in the Anſwers and Replies upon them.

The third part touching Religion (contained in the ſeventh, eighth, ninth, 10th, eleventh and twelfth Original, and ſixth and ſeventh, additional Articles) was carried on and managed by *John Wild*, Serjeant at Law, of the Commons Houſe, for four whole days; (to wit, *May* the 20th. and 27th. and *June* the 6th. and 11th) and then by reaſon of Mr. Serjeants Sickneſs, purſued by Mr. *Nicholas* five intire days more (*viz.* *June* 17th. 20th. and 27th. and *July* the 20th. and 24th.)

The fourth and laſt part of the Evidence (in proof of the fourteenth Original, and firſt and tenth additional Articles) was given in by Mr. *Nicholas*, on the 29th. of *July*, and concluded the ſame day.

So that the very Evidence it ſelf took up ſeventeen whole days. The particulars whereof, as they are much too tedious here to be ſet down at large, ſo to preſent the Reader with abridgments or gleanings of ſome paſſages, might injure either truth, or the memory of that eminent Prelate, and therefore are here declined; the rather, for that if God vouchſafe me life and opportunity, I have ſome thoughts of giving the World the intire Trial of this Archbiſhop, with all its circumſtances, in the ſame manner as I lately did that of his Fellow-Stateſman and Sufferer, the Earl of *Strafford*.

An. 1644.

After all the Evidence thus given, and the Anſwers and Replies thereunto ſeverally and reſpectively made, the Archbiſhop moved that he might have liberty to make a General Recapitulation of his whole Defence before the Lords, which accordingly he performed on the 2. *Sept.* 1644. To which, *Samuel Brown*, Eſq; a Member of the Houſe of Commons, Replied, On the 11th. of *September*, ſumming up the principal parts of the Evidence given againſt him at the Lords Bar, and endeavouring to anſwer and invalidate the Archbiſhops Allegations and Defences; who the ſame day praying the Lords that his Council might be heard, in point of Law, in his behalf, and their Lordſhips conſenting thereunto, the Managers for the Houſe of Commons deſired that they might firſt have notice what matters of Law the ſaid Archbiſhops Council would inſiſt upon, that ſo they might prepare themſelves to make Reply; whereupon, it was ordered that they ſhould ſpeak to this point of Law, *Whether in all or any of the Articles Charged againſt him, there were any Treaſon contained?* Which was argued at the Lords Bar by Mr. *John Hern*, as the Mouth of his Council, *October* 11th. and Replied unto by the Managers.

The Ordinance of Attainder againſt the Archbiſhop.

Soon after the Commons having drawn an Ordinance of Attainder of High Treaſon, upon the Evidence given in againſt him, on the 2d. of *November* following (after its ſecond Reading) the Archbiſhop was brought to the Bar of the Houſe of Commons, where the aforeſaid Mr. *Brown*, in his preſence, repeated to that Houſe the ſumm of the whole Evidence given in againſt him before the Lords; the doing whereof took up about three hours time. To which the Archbiſhop was required to give his anſwer, *Viva Voce*, who moved that he might have time convenient given him for the ſame, in reſpect of the tedious length and weight of the Charge; which was granted till the 11th. of the ſame month. At which time he ſpoke at large for ſome hours, in his own defence, at the Commons Bar; whereto Mr. *Brown*, on the 11th. of the ſame month, replied in his preſence: And thereupon the ſame day, that Houſe paſs'd the Ordinance for his attainder of High Treaſon, with but one diſſenting Vote, which on the 16th. of *November* was tranſmitted to the Houſe of Peers, and becauſe ſome of the Lords were not preſent at the giving in all the Evidence againſt him, during his long Trial, they ordered, *December* 4th. that all Books, Writings, Docquets, and Evidences, concerning the Archbiſhops Trial, before the Lords in Parliament, ſhould be brought into the Clerk of the Parliament. After which, the Lords proceeded to the conſideration of every particular of the Charge (putting each to the Queſtion as they paſs'd) and at a Conference, *December* 24. acquainted the Commons that they had found the Archbiſhop Guilty of the Charge, as to Matters of Fact, but deſired ſome further ſatisfaction in *point of Law*, whether the ſaid matters were *Treaſon*: Whereupon, on the 26th. of *December*, the Commons appointed a Committee to draw up Reaſons to ſatisfie the Lords therein, which were Communicated, at a Conference, *January* the 2d. by Serjeant *Wild*, Mr. *Brown*, and Mr. *Nicholas*, to the Lords; who thereupon, on the 4th. of *January*, paſs'd the Ordinance of attainder, whereby it was ordained, That he ſhould ſuffer Death, as in Caſes of High Treaſon. And on the 6th. of *January*, it was ordered by both Houſes, that he ſhould ſuffer accordingly on *Friday* the 10th. But on the 7th. the Lords, at a Conference, acquainted the Commons with a Letter and Petition from the Archbiſhop, and a Pardon to him from the King, dated the 12th. of *April*, 19. *Car.* of which he deſired the benefit; but the ſame was over-ruled and rejected. His Petition was, That in caſe he muſt Dye, Dr. *Stern*, Dr. *Heywood*, and Dr. *Martin*, might be permitted to be with him before, and at his Death, to adminiſter Comfort to his Soul, and that the manner of his Execution might be altered unto Beheading. To which the Lords agreed, but the Commons then refuſed both, only granted that Dr. *Stern*, and Mr. *Marſhal*, and Mr. *Palmer*, ſhould go to him, and one or both of the latter to be conſtantly preſent, whilſt Dr. *Stern* was with him. But the next day, upon another Petition of his ſetting forth reaſons from his being a Divine, a Biſhop, one that had had the honour to ſit in the Houſe of Peers, and of the Kings moſt Honourable Privy Council, *&c.* praying in thoſe regards not to be expoſed to ſuch an Ignominious Death, the Commons conſented to remit the reſt of the Sentence, and that he ſhould ſuffer Death by being Beheaded.

Accord-

20 *Caroli.*

Accordingly, on the 10th. of *January*, he was conducted from the *Tower* to the Scaffold on *Tower-Hill*, where being arrived, holding a Paper in his hand, he ſpake to the people as followeth:

Archbiſhop Laud's *Funeral Sermon, or laſt Speech, on the Scaffold,* January *the* 10*th.* 164$\frac{4}{5}$.

Good People,

YOu'll pardon my old Memory, and upon ſo ſad occaſions as I am come to this place, to make uſe of my Papers, I dare not truſt my ſelf otherwiſe.

Good People,

This is a very uncomfortable place to preach in, and yet I ſhall begin with a Text of Scripture in the Twelfth of the *Hebrews*:

Let us run with patience that race that is ſet before us, looking unto Jeſus the author and finiſher of our faith, who for the joy that was ſet before him, endured the Croſs, deſpiſing the ſhame, and is ſet down at the right hand of the Throne of God.

I have been long in my race, and how I have looked unto Jeſus the Author and finiſher of my Faith, is beſt known to him: I am now come to the end of my race, and here I find the Croſs, a death of ſhame, but the ſhame muſt be deſpiſed, or there is no coming to the right hand of God; Jeſus deſpiſed the ſhame for me, and God forbid but I ſhould deſpiſe the ſhame for him; I am going apace, as you ſee, towards the Red-Sea, and my feet are upon the very brinks of it, an argument, I hope, that God is bringing me to the Land of Promiſe, for that was the way by which of Old he led his people: But before they came to the Sea, he inſtituted a Paſſeover for them, a Lamb it was, but it was to be eaten with very ſowre Herbs, as in the Twelfth of *Exodus*.

I ſhall obey, and labour to digeſt the ſowre Herbs, as well as the Lamb, and I ſhall remember that it is the Lords Paſſeover; I ſhall not think of the Herbs, nor be angry with the hands which gathered them, but look up only to him who inſtituted the one, and governeth the other: For men can have no more power over me, then that which is given them from above; I am not in love with this paſſage through the Red-Sea, for I have the weakneſs and infirmity of fleſh and blood in me, and I have prayed as my Saviour taught me, and exampled me, *Ut tranſiret calix iſta.*

That this Cup of red Wine might paſs away from me, but ſince it is not that my will may, his will be done; and I ſhall moſt willingly drink of this Cup as deep as he pleaſes, and enter into this Sea, ay, and paſs through it, in the way that he ſhall be pleaſed to lead me.

And yet (good people) it would be remembred, that when the Servants of God, old *Iſrael*, were in this boiſterous Sea, and *Aaron* with them, the *Ægyptians* which perſecuted them, and did in a manner drive them into that Sea, were drowned in the ſame waters, while they were in purſuit of them: I know my God whom I ſerve, is as able to deliver me from this Sea of Blood, as he was to deliver the three Children from the Furnace, *Daniel* 3.

And I moſt humbly thank my Saviour for it, my Reſolution is now as theirs was then; their Reſolution was, They would not worſhip the Image which the KING had ſet up; nor ſhall I the Imaginations which the PEOPLE are ſetting up, nor will I forſake the Temple, and the Truth of GOD, to follow the bleating of *Jeroboams* Calves in *Dan* and in *Bethel*.

And I pray God bleſs all this people, and open their eyes, that they may ſee the right way; for if it fall out that the blind lead the blind, doubtleſs they will both fall into the Ditch: For my ſelf, I am (and I acknowledge it in all humility) a moſt grievous ſinner many ways, by thought, word and deed, and therefore I cannot doubt but that God hath mercy in ſtore for me a poor penitent, as well as for other ſinners. I have, upon this ſad occaſion, ranſack'd every corner of my heart, and yet I thank God, I have not found any of my ſins that are there, any ſins now deſerving death by any known Law of this Kingdom; and yet thereby I charge nothing upon my Judges (I humbly beſeech you I may rightly be underſtood,

An. 1644

ſtood, I charge nothing in the leaſt degree upon my Judges, for they are to proceed by proof, by valuable Witneſſes, and in that way I or any Innocent in the world may juſtly be condemned: And I thank God, though the weight of the Sentence lie very heavy upon me, yet I am as quiet within, as (I thank Chriſt for it) I ever was in my life: And though I am not only the firſt Arch-Biſhop but the firſt man that ever died in this way, yet ſome of my Predeceſſors have gone this way, though not by this means: for *Elfegus* was hurried away and loſt his head by the *Danes*; and *Simon Sudbury* in the fury of *Wat Tyler* and his fellows: And long before theſe Saint *John Baptiſt* had his head danced off by a lewd woman; and Saint *Cyprian* Arch-Biſhop of *Carthage* ſubmitted his head to a perſecuting ſword. Many examples great and good, and they teach me patience, for I hope my cauſe in Heaven will look of another dye then the colour that is put upon it here upon Earth; and ſome comfort it is to me, not only that I go the way of theſe great Men in their ſeveral Generations, but alſo that my charge (if I may not be partial) looks ſomewhat like that againſt Saint *Paul* in the 25. of the *Acts*, for he was accuſed for the Law and the Temple, that is the Law and Religion; and like that of Saint *Stephen* in the ſixth of the *Acts*, for breaking the Ordinances which *Moſes* gave us, which Ordinances were Law and Religion: but you'l ſay, do I then compare my ſelf with the integrity of Saint *Paul*, and Saint *Stephen*? No, God forbid, far be it from me; I only raiſe a comfort to my ſelf, that theſe great Saints and Servants of God were thus laid up in their ſeveral times; And it is very memorable that Saint *Paul*, who was one of them, and a great one that helped on the accuſation againſt Saint *Stephen*, fell afterwards into the ſelf-ſame accuſation himſelf, yet both of them great Saints and Servants of God; ay, but perhaps a great clamour there is, that I would have brought in Popery, I ſhall anſwer that more fully by and by, in the mean time, you know what the Phariſees ſaid againſt Chriſt himſelf, in the 11th of *John*, *If we let him alone, all men will believe on him*, Et venient Romani, *and the* Romans *will come and take away both our place and Nation.* Here was a cauſeleſs cry againſt Chriſt that the *Romans* would come, and ſee how juſt the Judgment of God was, they crucified Chriſt for fear leſt the *Romans* ſhould come, and his death was that that brought in the *Romans* upon them, God puniſhing them with that which they moſt feared: and I pray God this clamour of *venient Romani*, (of which I have given to my knowledge no juſt cauſe) help not to bring him in; for the Pope never had ſuch a Harveſt in *England* ſince the Reformation, as he hath now upon the Sects and diviſions that are amongſt us; in the mean time, *by honour and diſhonour, by good report and evil report, as a deceiver and yet true*, am I now paſſing out of this World.

Some particulars alſo I think not amiſs to ſpeak of: and firſt this I ſhall be bold to ſpeak of the King, our gracious Soveraign, He hath been much traduced by ſome for labouring to bring in Popery, but upon my Conſcience (of which I am now going to give God a preſent account) I know him to be as free from this Charge I think as any man living, and I hold him to be as ſound a Proteſtant, according to the Religion by Law eſtabliſhed as any man in this Kingdom, and that He will venter His Life as far and as freely for it; and I think I do or ſhould know both His affection to Religion, and His grounds upon which that affection is built, as fully as any man in *England*.

The ſecond particular is concerning this great and populous City, which God bleſs; here hath been of late a faſhion taken up to gather hands, and then go to the Honourable and great Court of the Kingdom, the Parliament, and clamour for Juſtice, as if that great and wiſe Court, (before whom the Cauſes come which are unknown to the many;) could not, or would not do Juſtice, but at their call and appointment; a way which may endanger many an innocent man, & pluck innocent bloud upon their own heads, and perhaps upon this City alſo, which God forbid: and this hath been lately practiz'd againſt my ſelf, God forgive the ſetters of this, with all my heart I beg it, but many well-meaning people are caught by it: In Saint *Stevens* caſe, when nothing elſe would ſerve, they ſtirred up the people againſt him, *Acts* 6. and *Herod* went juſt the ſelf-ſame way, for when he had kill'd Saint *James*, he would not venture upon Saint *Peter* too, till he ſaw how the People took it, and were pleaſed with it, in the 12 of the *Acts*. But take heed of having your hands full of blood, in the firſt of *Iſaiah*; for there is a time beſt known to himſelf, when God among other ſinns makes inquiſition for blood; and when Inquiſition is on foot, the Pſalmiſt tells us, *Pſalm* 9. that God remembers, that is not all, *that God remembers*

and

and forgets not (ſaith the Prophet) *the complaint of the poor*; and he tells you what poor they are in the ninth verſe, the poor whoſe blood is ſhed by ſuch kind of means: Take heed of this, *It is a fearful thing* (at any time) *to fall into the hands of the living God*, in the 12. of the *Hebrews*: but it is fearful indeed, and then eſpecially, when he is making his Inquiſition for blood, and therefore with my prayers to averr the Prophely from the City, let me deſire that this City would remember the Prophely that is expreſſed, *Jeremiah* 26. 15. 20 *Caroli.*

The third particular, is this poor Church of *England*, that hath flouriſhed and been a ſhelter to other neighbouring Churches, when ſtorms have driven upon them; but alas, now it is in a ſtorm it ſelf, and God knows whether, or how it ſhall get out; and which is worſe then a ſtorm from without, it is become like an Oak cleft to ſhivers with wedges made out of its own body, and that in every cleft, prophaneſs and irreligion is creeping in apace, while as *Proper* ſaith, *Men* that introduce prophaneſs are cloaked with a name of imaginary religion; for we have in a manner almoſt loſt the ſubſtance, and dwell much, nay too much a great deal in Opinion; and that Church which all the Jeſuits machination in theſe parts of Chriſtendom could not ruin, is now fallen into a great deal of danger by her own.

The laſt particular (for I am not willing to be tedious, I ſhall haſten to go out of this miſerable world) is my ſelf, and I beſeech you, as many as are within hearing, obſerve me, I was born and baptized in the boſom of the Church of *England* as it ſtands yet eſtabliſhed by Law, in that profeſſion I have ever ſince lived, and in that profeſſion of the Proteſtant Religion here eſtabliſhed I come now to die; this is no time to diſſemble with God, leaſt of all in matter of Religion, and therefore I deſire it may be remembred; I have always lived in the Proteſtant Religion eſtabliſhed in *England*, and in that I come now to die. What Clamors and Slanders I have endured for labouring to keep an Uniformity in the external ſervice of God according to the Doctrine and Diſcipline of this Church all men knows, and I have abundantly felt: Now at laſt I am accuſed of high Treaſon in Parliament, a crime which my ſoul ever abhorred; this Treaſon was charged upon me to conſiſt of two parts; An endeavour to ſubvert the Law of the Realm, and a like endeavour to overthrow the true Proteſtant Religion eſtabliſhed by thoſe Laws. Beſides my Anſwers which I gave to the ſeveral Charges, I proteſted my Innocency in both Houſes; It was ſaid, a Priſoners proteſtations at the Bar muſt not be taken *de ſe ipſo*; I can bring no witneſs of my heart, and the Intentions thereof, therefore I muſt come to my Proteſtation, not at the bar, but to my Proteſtation at *this* hour and *inſtant* of my Death, in which (as I ſaid before) I hope all men will be ſuch charitable *Chriſtians* as not to think I would die and diſſemble my Religion, I do therefore here, with that caution that I delivered before, without all prejudice in the World to my Judges, that are to proceed *ſecundum allegata & probata*, and ſo to be underſtood, I die in the preſence of Almighty God and all his holy and bleſſed Angels, and I take it now on my Death, That I never endeavoured the ſubverſion of the Laws of the Realm, nor never any change of the Proteſtant Religion into Popiſh Superſtition: and I deſire you all to remember this Proteſt of mine, for my Innocency in theſe and from all manner of Treaſons whatſoever.

I have been accuſed likewiſe as an Enemy to Parliaments, no, God forbid, I underſtood them, and the Benefits that come by them, a great deal too well to be ſo, but I did indeed diſlike ſome Miſ-governments (as I conceived) of ſome few one or two Parliaments; and I did conceive humbly that I might have reaſon for it, for *corruptio optimi eſt peſſima*: There is no corruption in the world ſo bad as that which is of the beſt thing in it ſelf, for the better the thing is in nature, the worſe it is corrupted; and this being the higheſt and greateſt Court, over which no other can have any Juriſdiction in the Kingdom, if by any way a miſ-government (which God forbid) ſhould any ways fall upon it, the Subjects of this Kingdom are left without all manner of remedy, and therefore God preſerve them, and bleſs them and direct them, that there may be no miſ-conceit, much leſs miſ-government amongſt them. I will not inlarge my ſelf any further, I have done, I forgive all the world, all and every of thoſe bitter Enemies, or others whatſoever they have been, which have any ways proſecuted me in this kind, and I humbly deſire to be forgiven firſt of God, and then of every Man, whether I have offended

An. 1644 offended him or no, if he do but conceive that I have; Lord, do thou forgive me and I beg forgiveneſs of him; and ſo I heartily deſire you to join with me in Prayer.

The Arch-Biſhops Firſt Prayer on the Scaffold.

" O Eternal God and merciful Father, look down upon me in mercy, in the " riches and fulneſs of all thy Mercies look upon me, but not till thou haſt " nailed my ſins to the Croſs of Chriſt; look upon me, but not till thou haſt " bathed me in the blood of Chriſt, not till I have hid my ſelf in the Wounds " of Chriſt, that ſo the puniſhment that is due to my ſins may paſs away and go " over me; and ſince thou art pleaſed to try me to the uttermoſt, I humbly be- " ſeech thee give me now in this great inſtant full patience, proportionable com- " fort, a Heart ready to dye for thine Honour and the Kings Happineſs, and this " Churches preſervation; my Zeal to theſe (far from Arrogancy be it ſpoken) " is all the ſin (humane frailty excepted, and all incidents thereunto) which is " yet known of me in this particular for which I now come to ſuffer, I ſay in this " particular of Treaſon; but otherwiſe my ſins are many and great, Lord pardon " them all, and thoſe eſpecially whatſoever they be which have drawn down this " preſent Judgment upon me, and when thou haſt given me ſtrength to bear it, then " do with me as ſeems beſt in thine own Eyes; and carry me through death, that " I may look upon it in what Viſage ſoever it ſhall appear to me, and that there " may be a ſtop of this Iſſue of blood in this more then miſerable Kingdom. I " ſhall deſire that I may pray for the People too, as well as for my ſelf: O Lord, " I beſeech thee, give grace of repentance to all People that have a thirſt for " blood, but if they will not repent, then ſcatter their Devices ſo, and ſuch as " are or ſhall be contrary to the Glory of thy great Name, the truth and ſince- " rity of Religion, the eſtabliſhment of the King, and his Poſterity after him, in " their juſt Rights and Priviledges, the honour and conſervation of Parliaments " in their ancient and juſt power, the preſervation of this poor Church in her " truth, peace, and patrimony, and the ſettlement of this diſtracted and diſtreſſed " People under their ancient Laws and in their native Liberties, and when thou " haſt done all this in meer Mercy for them, O Lord fill their Hearts with thank- " fulneſs, and with religious dutiful Obedience to thee and thy Commandments " all their Days: So Amen Lord Jeſus; and I beſeech thee receive my Soul to " Mercy. Our Father which art in Heaven, Hallowed be thy Name. Thy " Kingdom come. Thy will be done in Earth as it is in Heaven. Give us this " day our dayly bread. And forgive us our treſpaſſes, as we forgive them that " treſpaſs againſt us. And lead us not into temptation: but deliver us from evil, " *Amen.*

When he had finiſhed his Prayer, he gave his paper to Doctor *Sterne*, ſaying, Doctor, I give you this, that you may ſhew it to your Fellow-Chaplains, that they may ſee how I am gone out of the World, and Gods Bleſſing and his Mercy be upon them.

Then turning to Maſter *Hinde*, (who took his Words in Characters) he ſaid, Friend, I beſeech you hear me, I cannot ſay I have ſpoken every word as it is in my Paper, but I have gone very near it, to help my Memory as well as I could; but I beſeech you, let me have no wrong done me.

Hinde. Sir, you ſhall not, If I do any wrong let it fall on my own head. I pray God have Mercy on your Soul.

Cant. I thank you, I did not ſpeak with any jealouſie, as if you would do ſo, but I ſpake it onely as a poor man going out of the World, it is not poſſible for me to keep to the words in my paper, and a phraſe may do me wrong.

I did think here would have been an empty Scaffold, that I might have had room to die; I beſeech you, let me have an end of this miſery, for I have endured it long.

When room was made, he ſpake thus: I'le pull off my Doublet, and Gods will be done, I am willing to go out of the World; no man can be more willing to ſend me out, then I am willing to be gone.

Sir *John Clothworthy.* What ſpecial Text of Scripture is moſt comfortable now to a man in his departure?

Cant.

20 *Caroli.*

Cant. Cupio diſſolvi & eſſe cum Chriſto.

Sir *John Clothworthy.* That is a good deſire, but there muſt be a foundation for that deſire, an aſſurance.

Cant. No man can expreſs it, it is to be found within.

Sir *John Clothworthy.* It is founded upon a word though, and that word would be known.

Cant. That word is the knowledge of Jeſus Chriſt, and that alone.

And turning to the Executioner, he gave him Money, ſaying, Here honeſt friend, God forgive thee, and do thy Office upon me in Mercy.

The Executioner deſiring him to give ſome ſign when he ſhould ſtrike, he anſwered, Yes, I will, but let me fit my ſelf firſt.

Then kneeling down on his knees, he prayed thus:

The Archbiſhops laſt Prayer.

"LORD, I am coming as faſt as I can, I know I muſt paſs through the ſhadow "of Death before I can come to ſee thee, but it is but *umbra mortis*, a meer "ſhadow of Death, a little darkneſs upon Nature, but thou by thy merits and "paſſion, haſt broke through the Jaws of Death; ſo, Lord, receive my Soul, and "have mercy upon me, and bleſs this Kingdom with peace and plenty, and with "brotherly love and charity, that there may not be this effuſion of Chriſtian "Blood amongſt them, for Jeſus Chriſts ſake, if it be thy will.

And when he ſaid, *Lord receive my Soul* (which was his ſign) the Executioner did his Office at one blow.

His Corps was, by ſome of his Friends, decently Interr'd in *Barking* Church, with the Office read appointed by the Liturgy.

An Ordinance for Aboliſhing the Book of Common Prayer, and Eſtabliſhing the Directory, Jan. 4. 164⅓.

The ſame day that the Houſe of Lords paſs'd this Ordinance of Attainder againſt the Archbiſhop of *Canterbury*, they likewiſe paſs'd an Ordinance, That the Book of COMMON-PRAYER ſhould be laid aſide, and for eſtabliſhing the DIRECTORY for publick Worſhip; which had been framed by the *Aſſembly of Divines*, and ſent in parts to the Parliament, where the ſame had been debated and confirmed with ſuch ſmall variations as they thought neceſſary. Which Ordinance was as follows.

"The Lords and Commons Aſſembled in Parliament, taking into ſerious Con-"ſideration the manifold Inconveniences that have ariſen by the Book of Common "Prayer in this Kingdom, and reſolving, according to their Covenant, to reform "Religion according to the Word of God, and the example of the beſt Reformed "Churches, have Conſulted with the Reverend, Pious, and Learned Divines, "called together for that purpoſe, and do Judge it neceſſary that the ſaid Book "of Common Prayer be Aboliſhed, and the Directory for the publick Wor-"ſhip of God, herein after mentioned, be Eſtabliſhed and obſerved in all the "Churches within this Kingdom. Be it therefore Ordained, by the Lords and "Commons aſſembled in Parliament, that the Statute of the ſecond and third years "of King *Edward* the 6th. Intituled, *The Penalty for not uſing Uniformity of Ser-"vice and Adminiſtration of Sacraments*, &c. And the Statute of the fifth and "ſixth years of the ſame King, Intituled, *Uniformity of Prayer and Adminiſtration "of Sacraments ſhall be uſed in the Church.* And ſo much of the Statute of the "firſt year of Q. *Eliz.* Intituled, *There ſhall be Uniformity of Prayer and Admi-"niſtration of Sacraments*, as concerns the ſaid Book of Common Prayer, and the "Uniformity of Prayer and Adminiſtration of the Sacraments. And ſo much of "the Statute of the fifth year of the ſame Queen, Intituled, By whoſe Order the "Bible, and Book of Common Prayer, ſhall be Tranſlated into the *Welſh* Tongue, "as concerns the Book of Common Prayer. And ſo much of the Statute of the "eighth year of the ſame Queen, Intituled, [All Acts made by any perſon ſince "*primo Eliz.* for the Conſecrating, Inveſting, &c. of any Archbiſhop or Biſhop, "ſhall be good] as concerns the ſaid Book, be and ſtand from henceforth repealed, "void, and of none effect, to all intents, conſtructions, and purpoſes whatſoever. "And that the ſaid Book of Common Prayer ſhall not remain, or be from hence-"forth uſed in any Church, Chappel, or place of publick Worſhip, within the "Kingdom of *England*, or Dominion of *Wales*. And that the Directory for pub-"lick

An. 1644.

"lick Worſhip herein ſet forth, ſhall be henceforth uſed, purſued, and obſerved, "according to the true intent and meaning of this Ordinance, in all Exerciſes of "the publick Worſhip of God, in every Congregation, Church, Chappel, and "place of publick Worſhip, within this Kingdom of *England*, and Dominion of "*Wales*; which Directory, for the publick Worſhip of God, with the Preface "thereof, followeth. And it is further Ordained, by the Authority aforeſaid, "That there ſhall be provided, at the Charge of every Pariſh, or Chappelry, in "this Realm of *England*, and Dominion of *Wales*, a fair Regiſter-Book of Vellom, "to be kept by the Miniſter, and other Officers of the Church; and that the Names "of all Children Baptized, and of their Parents, and of the time of their Birth and "Baptizing, ſhall be written and ſet down by the Miniſter therein; and alſo the "Names of all perſons Married there, and the time of their Marriage; and alſo "the Names of all perſons Buried in that Pariſh, and the time of their Death and "Burial, and that the ſaid Book ſhall be ſhewed by ſuch as keep the ſame, to all "perſons reaſonably deſiring to ſearch for the Birth, Baptizing, Marriage, or Bu-"rial of any perſon therein Regiſtred, and to take a Copy, or procure a Certificate "thereof.

As for the Directory (which here ſhould follow) to avoid ſwelling this Book unneceſſarily, ſince the ſame is frequent enough to be had in Print, we omit it.

CHAP.

20 *Caroli.*

CHAP. XIX.

The whole proceedings of the Treaty at Uxbridge, *which began* January *the* 30*th. and ended* February *the* 22*th.* 164$\frac{4}{5}$.

THere had been (as you have heard) ſome Overtures for a Treaty made by His Majeſty, in *January* and *March*, 164$\frac{4}{5}$. But the two Houſes conceiving, that in thoſe Meſſages they were not ſufficiently owned to be a Parliament, returned a kind of Expoſtulatory Letter (herein before recited) to His Majeſty on that occaſion, and no further progreſs was at that time made towards the Treaty.

But about *Nov.* 1644. the two Houſes, with the conſent of the *Scottiſh* Commiſſioners, having prepared certain propoſitions for Peace, a Letter was ſent to the General of the Kings Army, for a ſafe Conduct for the Lords and Commons, and *Scots* Commiſſioners, that were appointed to carry them to the King, *viz.* The Earl of *Denbigh*, and the Lord *Maynard*, of the Peers, Mr. *Pierpoint*, Mr. *Hollis*, Mr. *Whitlock*, and the Lord *Wennam*, of the Houſe of Commons; and the Lord *Maitland*, Sir *Charles Erskins*, and Mr. *Bartlay*, for *Scotland*. The Trumpeter return'd with a ſafe Conduct from Prince *Rupert*, under the Kings Hand and Seal, which yet took no notice of them, as Members of Parliament, but as private perſons; however, the Parliament accepted it. And on the 20th. of *November*, the ſaid Committee ſet out of Town, going firſt to *Reading*, as ſuppoſing the King had been at *Marlborough*, but were there informed that His Majeſty was gone to *Wallingford*; therefore, tho' it were late, and the Ways and Weather bad, they haſted in the Evening croſs the Country, and took up their Lodging that Night, as well as they could, at *Nettlebed*, a little Country Town, and next Morning went towards *Wallingford*, and ſtaying about a mile from the Town, ſent a Letter to Collonel *Blake*, the Governour, deſiring entrance into the Town, by Vertue of their ſafe Conduct from the King, whom they were to wait upon with Propoſitions from the Parliament: The ſaid Collonel ſent to them for their ſafe Conduct, which they refuſed to part with, alledging it was their ſecurity for their paſſage, but ſhewed it to his Meſſenger, and ſent him a Copy; who then ſent a Troop of Horſe to convey them into the Town, and when they came to his Quarters, called for Wine for them, but ſaid, He believed the King was returned to *Oxford*. In diſcourſe, ſome differences happened between the Earl of *Denbigh* and him, concerning ſome paſſages of War, wherein they both had been Actors, which ariſing to ſome heat, all the Company thought fit to remove from that Garriſon, and accordingly took leave of the Governour, and next morning came to *Oxford*, but ſtay'd in the Field till they ſent a Meſſenger to Sir *Jacob Aſhley*, the Governour, acquainting him with their buſineſs and ſafe Conduct, and deſiring entrance and accommodation; who return'd anſwer, He would acquaint His Majeſty, and know his pleaſure: And after ſome hours attendance in the wet and cold open Field, a Troop of Horſe came to Convoy them into the City, being brought to a mean Inn for their Quarters, the Sign of the *Katherine-Wheel*, next St. *John*'s Colledge.

The Names of the Committee that attended the King with Propoſitions for Peace, Nov. 1644.

The next day they had acceſs to His Majeſty, who received them very obligingly, and gave to every one his Hand to kiſs, but ſeemed more to ſlight the *Scots* Commiſſioners than any of the reſt.

The propoſitions were read by the Earl of *Denbigh* to the King, who heard them with much patience, and asked the Committee *If they had power to Treat*: They anſwer'd, *No, but their Commiſſion was to receive His Majeſties Anſwer in writing.* The King replied, *Then a Letter-Carrier might have done as much as you.* To which the Earl of *Denbigh* ſaid, *I ſuppoſe Your Majeſty looks upon us as perſons of another*

another Condition than Letter-Carriers. The King ſaid again, *I know your Condition, but I ſay that your Commiſſion gives you power to do no more than a Letter-Carrier might have done.*

The ſaid propoſitions then preſented, and read to His Majeſty, are hereafter recited in the Narrative of the Treaty ſet forth by His Majeſties Command.

The Earl of *Lindſey* having ſent one of his Gentlemen, upon the firſt arrival of the Commiſſioners, to Complement *Hollis* and *VVhitlock*, after the propoſitions delivered, they two, with the conſent of the reſt of the Commiſſioners, went in the Evening to return his Civility by a Viſit, whom they found indiſpoſed, and in his Bed, and diverſe Noblemen with him; and amongſt the reſt, the Lord *Saville*, then newly made Earl of *Suſſex*. They had not been there a quarter of an hour, when the King and Prince *Rupert*, and ſeveral perſons of prime Quality in the Court, came into the Chamber. The King ſeeing *Hollis* and *VVhitlock*, ſaluted them very obligingly, and began to diſcourſe with them, part whereof was to this effect.

Whitlock's *Memorials*, *fol.* 108.

King. I am ſorry, Gentlemen, that you could bring to me no better propoſitions for Peace, nor more reaſonable than theſe are.

Hollis. They are ſuch, Sir, as the Parliament thought fit to agree upon, and I hope a good Iſſue may be had out of them.

VVhitlock. We are but their Servants to preſent them to Your Majeſty, and very willing to be Meſſengers of peace.

K. I know you could bring no other but what they would ſend; but I confeſs, I do not a little wonder at ſome of them, and particularly at the Qualifications.

Hol. Your Majeſty will be pleaſed to conſider of them as a Foundation for peace.

K. Surely you your ſelves cannot think them to be Reaſonable, or Honourable, for me to Grant.

Hol. Truly, Sir, I could have wiſhed that ſome of them had been otherwiſe than they are; but Your Majeſty knows, that thoſe things are all carried by the Major Vote.

K. I know they are, and am confident that you, who are here, and your Friends (I muſt not ſay your Party) in the Houſe, endeavoured to have had them otherwiſe, for I know you are well-willers to peace.

VVhitl. I have had the Honour to attend Your Majeſty often heretofore upon this Errand, and am ſorry it was not to better effect.

K. I wiſh, Mr. *Whitlock*, that others had been of your Judgment, and of Mr. *Hollis*'s, and then I believe we had had an happy end of our differences before now.

Hol. We are bound to Your Majeſty for your gracious and true Opinion of us, and wiſh we had been, or may be capable, to do Your Majeſty better ſervice.

K. Your ſervice, Mr. *Hollis*, and the reſt of thoſe Gentlemen whoſe deſire hath been for peace, hath been very acceptable to me, who do earneſtly deſire it my ſelf; and in order to it, and out of the Confidence I have of you two that are here with me, I aſk your Opinion and Advice, what anſwer will be beſt for me to give at this time to your Propoſitions, which may probably further ſuch a peace as all good men deſire.

H. Your Majeſty will pardon us, if we are not capable, in our preſent Condition, to adviſe Your Majeſty.

VVh. We now, by accident, have the Honour to be in Your Majeſties preſence, but our preſent Imployment diſables us from adviſing Your Majeſty, if we were otherwiſe worthy to do it in this particular.

K. For your Abilities I am able to Judge, and I now look not on you in your Imployments from the Parliament, but as Friends; and, as my private Subjects, I require your Advice.

H. Sir, to ſpeak in a private Capacity, Your Majeſty ſees that we have been very free, and touching your anſwer, I ſhall ſay further, That I think the beſt anſwer would be your own coming amongſt us.

VVh. Truly, Sir, I do believe that Your Majeſties perſonal preſence, at your Parliament, would ſooner put an end to our Unhappy Diſtractions than any Treaty.

K. How

20 *Caroli.*

K. How can I come thither with ſafety?

H. I am confident there would be no danger to your perſon to come away directly to your Parliament.

K. That may be a queſtion; but I ſuppoſe your principals who ſent you hither, will expect a preſent anſwer to your Meſſage.

VVh. The beſt preſent, and moſt ſatisfactory anſwer, I humbly believe, would be your Majeſties preſence with your Parliament; and which, I hope, might be without any danger to you.

Holl. We ſhould be far from adviſing any thing which might be of the leaſt danger to your Majeſties perſon; and I believe, your coming to your Parliament would be none, but we muſt humbly ſubmit that to Your Majeſties own pleaſure, and great wiſdom.

K. Let us paſs by that, and let me deſire you two, Mr. *Hollis* and Mr. *VVhitlock*, to go into the next Room, and a little to confer together, and to ſet down ſomewhat in Writing, which you apprehend may be fit for me to return in anſwer to your Meſſage, and that in your Judgments may facilitate, and promote this good work of Peace.

H. We ſhall obey Your Majeſties Commands and withdraw.

Hollis and *VVhitlock* being together by themſelves, upon diſcourſe concluded, That it would be no breach of Truſt in them to obſerve the Kings deſire herein, but rather might be a means to facilitate the work about which they came, *viz.* Peace; and therefore, as they both agreed, *VVhitlock* wrote down what was their ſenſe, as to what might be fit for the ſubſtance of the Kings anſwer to their meſſage, but he wrote it not in his uſual hand, nor with any Name to it; nor was any perſon preſent but they two, when it was Written, nor did the King admit any others to hear the diſcourſe which paſſed betwixt him and them: The paper ſo written they left upon the Table in the Withdrawing-Room, and the King went in and took it, and with much favour bid them farewel, and went away himſelf; and they taking leave of the Earl of *Lindſey*, and the reſt of the Company, repaired to their Lodgings. But the Lord *Savile*, ſome time after, quitting the Kings party, and coming into the Parliament, accuſed *Hollis* and *VVhitlock* for this ſecret Correſpondence, yet he not being able to make out any particulars, nor could all the Examinations at Committees, and in the Houſe of Commons, get it out of them, ſo they got off, and this diſcourſe remain'd a ſecret till Mr. *VVhitlock* publiſh'd it lately in his Memorials.

On the 27th. of *November*, the ſaid Commiſſioners who carried the Parliaments propoſitions for peace, had the Kings anſwer ſent unto them ſealed up; whereupon, they Conſulting together, thought it not fit for them to receive an anſwer in that manner, not being acquainted what it was, nor any Copy of it (as was uſual in like Caſes) ſent with it unto them, therefore they deſired to be excuſed from receiving that anſwer ſo ſealed, and made an Addreſs to His Majeſty, that they might know what his anſwer was, and have a Copy of it. To which His Majeſty replied, What is that to you, who are but to carry what I ſend; and if I will ſend the Song of *Robin Hood*, and *Little John*, you muſt carry it. To which the Commiſſioners only ſaid, That the buſineſs about which they came, and were to return with His Majeſties anſwer, was of ſomewhat more Conſequence than that Song; but afterwards, a Copy of the anſwer was ſent them. Idem, *fol.* 110.

Another Exception they took to the paper of the anſwer was, That it was not directed to any body, nor the Parliament ſo much as acknowledged or named in it. To which the King anſwered, That it was delivered to the Parliaments Commiſſioners, which was ſufficient; and ſome of his Lords told them, that they could not get it otherwiſe, chiefly becauſe they were there as Commiſſioners of both Kingdoms, and earneſtly intreated the Commiſſioners for peace ſake, to receive it as it was then ſent to them; who having debated the ſame amongſt themſelves, and conſidering that they muſt take upon themſelves to break off the Treaty for peace, in caſe they refuſed this paper, and that it would be more proper to leave it to the Judgment of their principals, they did receive the anſwer, and came therewith to *Weſtminſter*, *November* 29. And next day the ſame was read (which you will find hereafter recited, the ſubſtance, beſides expreſſions of His Majeſties Inclinations to peace, was at a Conference of both Houſes, to demand a ſafe Conduct for the Duke of *Lenox*, and the Earl of *Southampton*, to come with an anſwer to their propoſitions) great Exceptions were made, and highly debated, againſt the form and want of Directions of this His Majeſties Meſſage; but at laſt, it was

 carried

An. 1644. carried to lay aſide thoſe Objections, and Thanks were returned to the Commiſſioners for their faithful Service and diſcreet Carriage in this Affair; And further it was Reſolved, that the Lord General ſhould return a Letter by a Trumpeter to Prince *Rupert*, to this Effect, ——— *That whereas a ſafe Conduct is deſired for the Duke of* Richmond *and the Earl of* Southampton *to come from the King with an Anſwer to the Propoſitions for Peace; If his Majeſty ſhall ſend to the Parliament of* England *Aſſembled at* Weſtminſter, *and to the Commiſſioners of the Parliament of* Scotland; *They would with all readineſs grant them a ſafe Conduct, and Treat with them according to his Majeſties deſire, for a ſpeeedy way of ſtopping the great Effuſion of Blood, and putting a period to the ſad and ruinating Diſtractions of this Kingdom: There being nothing more deſired by them than the eſtabliſhing of ſuch a firm and ſolid Peace as may tend to his Majeſties Honour, the Advancement of Proteſtant Religion, and the preſervation of the juſt Priviledges of Parliament and Liberty of the Subject.*

The Trumpeter went away with this Letter *Tueſday December* 3. and on the *7th.* returned with an Anſwer acknowledging thoſe at *Weſtminſter* to be the Parliment in theſe Words.

My Lord,

" I Am commanded by his Majeſty to deſire of your Lordſhip ſafe Conduct for " the Duke of *Richmond* and the Earl of *Southampton*, with their Attendants, " Coaches, Horſes, and other Accommodations fitting for their Journey in their " coming to *London*, during their Stay, and in their Return, when they ſhall " think fit; From the Lords and Commons Aſſembled in the Parliament of *Eng-* " *land* at *Weſtminſter*, to bring to the Lords and Commons Aſſembled in the Par- " liament of *England*, and the Commiſſioners of the Kingdom of *Scotland* now " at *London*; An Anſwer to the Propoſitions ſent to His Majeſty for a ſafe and " well-grounded Peace.

Oxford December 5th. *Your Lordſhips Servant*

Rupert.

A ſafe Conduct was forthwith diſpatcht, and the Duke of *Richmond* and Earl of *Southampton* came to *London* on Saturday *Dec.* 14. and were conducted to *Somerſet* Houſe, the place appointed for their Lodging and Entertainment, where the next day they had Divine Service according to the Liturgy, and Dr. *Hammond* Preached before them. On Monday they ſent to the Lords Houſe, to give them Notice of their being arrived with an Anſwer from His Majeſty to both Houſes of Parliament, and to the Commiſſioners of *Scotland*, and deſired to know when they might be received to deliver it. Whereupon it was Ordered, That their Reception ſhould be the day following by a Committee of Fourteen Lords, and Twenty Eight Commoners, and the *Scottiſh* Commiſſioners in the painted Chamber. Where accordingly on the 17th. in the Evening they delivered His Majeſties Anſwer dated *Dec.* 13th. propoſing a Treaty for the better debating the Propoſitions. [Which Anſwer ſee recited hereafter in his Majeſties Declaration.]

On *Thurſday December* 19. The Lords and Commons and *Scotch* Commiſſioners agreed on an Anſwer to be returned by them to his Majeſty, and to be delivered them by the Committee appointed for their firſt Reception, As followeth.

To the Kings moſt Excellent Majeſty.

" WE your Majeſties moſt humble and loyal Subjects of both Kingdoms " have taken into Conſideration your Majeſties Meſſage for a Treaty of " Peace dated at *Oxford* the 13th. of this Inſtant *December* ſent by the Duke of " *Lenox* and Earl of *Southampton* directed to the Lords and Commons Aſſembled " in the Parliament of *England* at *Weſtminſter* and to the Commiſſioners of the " Parliament of *Scotland*; And do in all humbleneſs return this Anſwer; That " we do conſent there be a Treaty for a ſafe and well grounded Peace. But " find that it will require ſome time to reſolve concerning the Inſtructions and " manner of the Treaty. And therefore that your Majeſty might not be held in

" ſuſpence,

20 *Caroli.*

" ſuſpence, touching our Readineſs to make uſe of any Opportunity for attaining " ſuch a bleſſed and happy Peace, in all your Majeſty Dominions; We would " not ſtay your Majeſties Meſſengers till we do reſolve upon all the particulars, " which we will take into ſerious Conſideration, and preſent our humble deſires " unto your Majeſty with all convenient ſpeed.

The ſame day there was a Petition preſented to the Houſe of Commons from the Maior, Aldermen and Common Council of *London* ſetting forth the great Apprehenſions the City lay under by reaſon of the great Number of ſuſpicious Perſons, which at this time made reſort thither, and had juſt ground to ſuſpect their Intentions were not good, deſiring power from the Parliament to make ſearch for and apprehend them and all other diſaffected Perſons in and about the City. For which the Petitioners had thanks and a Liſt of the Names of the Attendants of the two Lords from *Oxford*, (which had been deſired and given in upon their firſt coming to Town, that no Affront might be offered them) being in all Fourty Eight in Number, was delivered to the Provoſt Martial, to the end ſuch as were not comprehended in that Liſt ſhould be ſeized as Spies, and proceeded againſt according to the Ordinance.

December 20*th.* the Committee of both Houſes delivered the ſaid Anſwer of the Parliament to his Majeſties Meſſage from *Oxford*, unto the Duke of *Lenox* and Earl of *Southampton* in the painted Chamber ſigned by the Speakers of both Houſes. But the Duke acquainting them, that they had further matters to impart from his Majeſty to the two Houſes of Parliament, the Committee not conceiving themſelves impowered to receive any ſuch further Matters, thought fit to acquaint the two Houſes therewith, and were by them Authorized to receive what they had to offer, the next day; At which time the Duke and Earl delivered in a paper that ſpake as followeth.

My Lords and Gentlemen,

" WE are Commanded by his Majeſty to let you know that it is His Deſire " before our going hence, we might receive a Reſolution to that part of " His Majeſties deſire, expreſſed in His Meſſage of the 13th. of *December* 1644. " concerning your Treating with Him by fit Perſons to be appointed on either " Party; That ſo according to what hath been agreed upon, we may have oppor- " tunity to offer what elſe we have in charge from His Majeſty in order to the pro- " curing of an happy Peace. But yet His Majeſty earneſtly deſires that the way " prodoſed by him may be agreed unto, as that which he conceives to be the moſt " likely means ſpeedily to draw on an happy and well-grounded Peace; Whereas " otherwiſe the diſtance of the place, which His Majeſty is moſt likely to reſide " in, as alſo many other reſpects will extreamly lengthen the Treaty and defer " the attaining that happy end, a bleſſed Peace, which his Majeſty above all other " things ſo earneſtly deſires, and conſequently be a Cauſe of the further Effuſion " of His Subjects blood: Beſides the many other Loſſes to the Kingdom, which " His Majeſties is ſo deſirous to prevent, that as He will readily do what elſe ſhall " be requiſite on his part, ſo He will moſt willingly give ſuch power to the Perſons " implpoyed by him as there ſhall be little or no Loſs of time upon that occaſion. " The Compaſſionate Sence His Majeſty hath of the Miſery and Calamity the " Kingdom doth ſuffer by this unnatural War, prevailing ſo far that He is as " earneſt in ſeeking out the Remedy as if He himſelf were the only Sufferer.

Whereunto the two Houſes after ſome Debate returned anſwer to this Effect.

" THE Deſires expreſſed in the laſt paper given in by your Lordſhips are " part of His Majeſties Meſſage of the 13*th.* of this Inſtant *December* and " concern the manner of Treaty, which (according to the Anſwer already " given) will require ſome time to be reſolved upon, and therefore it is the " Deſire of both Houſes of Parliament and of the Commiſſioners of the Parlia- " ment of *Scotland*; That your Lordſhips would be pleaſed ſpeedily to make " your Repair to His Majeſty with the Anſwer already given to His Majeſties " Meſſage brought by your Lordſhips.

And accordingly their Lordſhips did on *Tueſday December* 24. ſet out towards *Oxford*; And upon the 17*th.* of *January* following Sir *Peter Killegrew* was diſpatcht thither with a Letter to his Majeſty ſigned by the Speakers of both Houſes (here-

after

An. 1644.

after alſo recited) naming their Commiſſioners and *Uxbridge* for place of Treaty, and deſiring a ſafe Conduct, that his Majeſty would be pleaſed to Nominate his Commiſſioners to whom they ſhould be ready to give a like ſafe Conduct. Accordingly His Majeſty returned the following ſafe Conduct (in a Letter from Prince *Rupert* to the Earl of *Eſſex*.)

Safe Conduct.

CHARLES R.

CHarles *by the Grace of God King of* England, Scotland, France *and* Ireland, *Defender of the Faith*, &c. *To our Generals, Lieutenant Generals, Commanders in Cheif, Generals of Towns, Colonels, Lieutenant Colonels, Captains, Officers, and Soldiers belonging to any of our Armies or Garriſons, and to all other our Miniſters and loving Subjects to whom theſe preſents ſhall come Greeting, Our Pleaſure and Command is that every of you permit and ſuffer, that* Algernon *Earl of* Northumberland, Philip *Earl of* Pembrooke *and* Mountgomery, William *Earl of* Salisbury, Bazill *Earl of* Denbigh, Thomas *Lord Viſcount* Wenman, Denzil Hollis, William Pierepoint, *Sir* Henry Vane *Junior*, Oliver St. John, Bulſtrode Whitlock, John Crew, Edmond Prideaux *for the Lords and Commons Aſſembled in the Parliament of* England *at* Weſtminſter, *and* John *Earl of* Loudon, *Lord Chancellor of* Scotland, Archibald *Marqueſs of* Arguile, John *Lord* Maitland, John *Lord* Balmerino, *Sir* Archibald Johnſon, *Sir* Charles Erskin, George Dundas, *Sir* Jo. Smith, *Mr.* Hugh Kenedy *and Mr.* Robert Berkly *for the Eſtates of the Parliament of* Scotland, *together with Mr.* Alex. Henderſon *and with their Retinue mentioned in a Liſt annexed together with the Retinue of the* Scottiſh *Commiſſioners not exceeding in all the Number of an Hundred and Eight Perſons, together with their Horſes, Coaches, and all Accommodations for their Journey, may repair to* Uxbridge *from* London, *ſtay there and return at their pleaſure, and that they and any of them be permitted freely, and as often as they ſhall pleaſe to go themſelves or ſend any of their Retinue to and from* Uxbridge *and* London, *without any Let, Hindrance, Interruption, or Moleſtation whatſoever, and to theſe our Commands we require your due Obedience, as you tender our Service, and will Anſwer the contrary at your utmoſt Perils. Given under our Signet at our Court at* Oxford *the* 21th. *Day of* January 1644.

By his Majeſties Command

Edward Nicholas.

There was alſo herewith ſent his Majeſties Anſwer to the Parliaments Meſſage by Sir *Peter Killigrew*, wherein were Nominated His Majeſties Commiſſioners for whom the Prince deſired the like ſafe conduct, *Viz.*

The Duke of *Richmond.*
The Marqueſs of *Hertford.*
The Earl of *Southampton.*
The Earl of *Kingſton.*
The Earl of *Chicheſter.*
The Lord *Capel.*
The Lord *Seymour.*
The Lord *Hatton.*
The Lord *Colepeper.*
Secretary *Nicholas.*
Mr. Chancellor of the Exchequer Sir *Edward Hide.*
The Lord Ch. Baron, Sir *Edward Lane.*
Sir *Orlando Bridgeman.*
Sir *Thomas Gardiner.*
Mr. *Jo. Aſhburnham.*
Mr. *Jeoffry Palmer* and Dr. *Stuart*, and their Attendants in all to the Number of 108.

There came alſo herewith certain Propoſitions made by his Majeſty to the Parliament; The Copies of which Meſſage and Propoſitions ſee afterwards in his Majeſties Narratory Declaration touching this Treaty.

January

20 Caroli

January 24. A Report was made to the Houſes from the Committee of both Kingdoms of the form of a ſafe Conduct for the Kings Commiſſioners (the framing thereof having been referred to them) in which the New Titles conferred on any of them, ſince the Great Seal was carried away from the Parliament were omitted, ſo that the Earl of *Chicheſter* was ſtiled Lords *Dunſmore*, the Lord *Colepeper*, Sir *John Colepeper*, the Lord *Hatton*, Sir *Chriſtopher Hatton*, and ſo the New-made Knight Sir *Edward Hide* was called Mr. *Hide*, &c. Several Conferences paſs'd between the Lords and Commons about this matter, the Lords inſiſting that the ſafe Conduct ſhould be ſent giving them all their Titles as ſpecified by the King without Exceptions; The Commons gave Reaſons in Anſwer, and eſpecially that they could not condeſcend to admit thoſe New Titles, for that it would be directly oppoſite to one of the Propoſitions of both Houſes to the King, which is, that all Titles of Honour whatſoever conferred by His Majeſty ſince the carrying away of the Great Seal ſhould be void; At laſt it was agreed, that the New Titles of the Lords ſhould be omitted, but thoſe of the Knights (being no Honour under the Great Seal) ſhould be inſerted; and accordingly the ſafe Conduct was ſent away *January* 25*th.* by Sir *Peter Killigrew* to *Oxford.* And His Majeſty was pleaſed to accept the ſame notwithſtanding ſuch Alteration.

By the King.

A Proclamation for a ſolemn Faſt on *Wedneſday* the 5*th.* of *February* next, upon occaſion of the preſent Treaty for Peace.

WHereas *Almighty God in his Juſtice to puniſh the Crying Sins of the Land hath ſent a Civil Sword throughout all our Dominions which hath miſerably waſted, and threatens a ſpeedy and utter Deſolation to the ſame: And now in the height of theſe Calamities a Treaty is aſſented to, to begin at* Uxbridge *on* Thurſday *the* 30th. *Day of this Inſtant* January, *touching the compoſing and ending of thoſe unhappy Differences and Diſtractions about which ſo much Blood hath been already ſpilt, which Treaty may by the Bleſſing of God (who is the Diſpoſer of Mens Hearts and of all Events) be a means to produce a Peace: And whereas it is the Duty and hath been the practice of Chriſtians under Affliction to ſet apart ſome time for publick and ſolemn Humiliation and Prayer for removing of Gods Judgments and particularly for a Bleſſing and good ſucceſs to the means of conducing to their deliverance; We do therefore by this Our Proclamation appoint and ſtreightly Charge and Command that on* Wedneſday *being the fifth of* February *next enſuing, a ſolemn Faſt be kept in all Places within Our Dominions whither the Notice of this Our Proclamation ſhall or may come before that time, that both Prince and People may then joyn together in a true Humiliation, and devout and earneſt Prayers to God, that he ſhall be pleaſed to bleſs and proſper this intended Treaty that it may produce a happy Peace in all Our Dominions, ſuch as may be for His Honour, and the good of His Church, and of Us and all Our Subjects. And we do hereby charge and require all Our Subjects of what Degree or Condition ſoever they be which ſhall have notice of this Our Proclamation, that they religiouſly prepare and apply themſelves to a due Obſervation of the ſame by Faſting, Humiliation and Prayer on that day, and in hearing of Gods Word, as they will Anſwer to God their neglect of this Chriſtian Duty, and as they will Anſwer to Us their neglect of this Our juſt and neceſſary Command. And for the better and more orderly Obſervation of this Faſt, We do hereby appoint that the Form of Prayer and Service of God ſet forth in the Book heretofore publiſhed for the Monthly Faſt with ſuch Alterations and Additions as ſhall be prepared and fitted for this preſent purpoſe, and publiſhed in print before the ſaid day, ſhall be uſed in all Churches and Chappels where this Faſt ſhall be kept. Given at Our Court at* Oxford *this* 27th. *day of* January *in the Twentieth Year of Our Reign,* 1644.

God ſave the King.

The

An. 1644.

The Commiſſioners meet at Uxbridge. Jan. 29.

The Commiſſioners for the Treaty on both parts met at *Uxbridge* on *Wedneſday January* the 29*th*. and had their ſeveral Quarters, thoſe for the Parliament and all their Retinue on the North-ſide of the Town, and thoſe for the King on the South-ſide, and no intermixture of the one parties Attendants with the other; The beſt Inn of the one ſide was the rendevouz of the Parliaments Commiſſioners, and the beſt-Inn of the other ſide of the Street was for the Kings Commiſſioners.

The Evening that they came to Town ſeveral Viſits paſſed between particular Commiſſioners of either party, as Sir *Edward Hide* came to viſit Mr. *Hollis* and Mr. *Whitlock*, the Lord *Culpeper*, viſited Sir *Henry Vane*, and others of the Kings Commiſſioners viſited ſeveral of the Parliaments Commiſſioners and had long Diſcourſes about the Treaty and to perſwade one another to a Compliance; So alſo Mr. *Whitlock* viſited Sir *Edward Hide* and Mr. *Palmer* Sir *Richard Lane* and others, and ſeveral other of the Parliaments Commiſſioners viſited divers of the Kings Commiſſioners and had Diſcourſes with them tending to the Furtherance of the Buſineſs of the Treaty.

The Town was exceeding full of Company that it was hard to get any Quarter, except for the Commiſſioners and their Retinue, and ſome of the Commiſſioners were forced to lye two of them in a Chamber in Field Beds, onely upon a Quilt, in that cold Weather, not coming into a Bed during all the Treaty.

Sir John Bennets *Houſe the place of Treatie.*

This place being within the Parliaments Quarters their Commiſſioners were the more Civil and deſirous to afford Accommodations to the Kings Commiſſioners, and they thought it fit to appoint Sir *John Bennets* Houſe at the further end of the Town to be fitted for the place of meeting for the Treaty.

The Fore-way into the Houſe was appointed for the Kings Commiſſioners to come in at, and the Back-way for the Parliaments Commiſſioners; in the middle of the Houſe was a fair great Chamber where they cauſed a large Table to be made like that heretofore in the Star-Chamber almoſt ſquare without any upper or lower End of it.

The Kings Commiſſioners had one end and one ſide of the Table for them, the other ſide was for the Parliaments Commiſſioners, and the end appointed for the *Scots* Commiſſioners to ſit by themſelves. Behind the Chair of the Commiſſioners on both ſides ſate the Divines and Secretaries and ſuch of the Commiſſioners as had not room to ſit next to the Table.

At each end of the great Chamber was a fair Withdrawing Room and Inner Chamber, one for the Kings, and the other for the Parliaments Commiſſioners to retire unto, and conſult when they pleaſed.

Mr. *Thurloe* and Mr. *Earl* were Secretaries for the *Engliſh*, and Mr. *Cheeſly* for the *Scots* Commiſſioners.

Before the Commiſſioners on either part for the Treaty inſiſted on any Debate upon particulars; ſeveral Reſolutions were made by Conſent of both ſides to this effect.

That all Overtures of the Treaty ſhould be ſet down in Writing.

That whatſoever ſhould be agreed to on both ſides upon any one or more of the propoſitions ſhould be Null and of no Form in Caſe the Treaty break off upon any of the propoſitions.

The Parliaments Commiſſioners delivered to the Kings Commiſſioners in writing the propoſitions and Votes of both Houſes concerning the ſettling of Religion in a Presbyterial way, which were appointed for the Debate of the three firſt days of the Treaty.

Unto theſe the Kings Commiſſioners did make ſome Queries, as

Queries.

1. *What was meant by the Presbyterial Government propounded to be Eſtabliſhed?*
2. *What was meant by Claſſes?*
3. *What was meant by Provincial and Synodical Aſſemblies?*
4. *What was meant by the Bounds of Pariſhes? with other Queſtions depending upon theſe.*

Upon this Entrance into this Debate of the points, Doctor *Steward* ſpake very learnedly (though ſomewhat warmly) againſt Presbyterial Government in the Church of *England*, which had ſo long been under Epiſcopacy, which he thought moſt ſuitable to our Church, and to be *Jure Divino*.

Mr. *Henderſon* and Mr. *Marſhal* anſwered the Doctor, commending the Preſbiterian way of Government, and that Epiſcopacy was not ſo ſuitable to the Word of God as Presbytery, which they argued to be *Jure Divino*.

To

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To which the Marqueſs of *Hartford* ſpake to this effect:

My Lords,

HERE *is much ſaid concerning Church-Government in the General, the Reverend Doctors, on the Kings part, affirm that Epiſcopacy is* Jure Divino; *the Reverend Miniſters of the other part do affirm, That Presbytery is* Jure Divino. *For my part, I think that neither the one nor the other, nor any Government whatſoever, is* Jure Divino, *and I deſire we may leave this Argument, and proceed to debate upon the particular Propoſals.*

The Earl of *Pembrook* was of the ſame Judgment with the Marqueſs of *Hartford*, and many of the Commiſſioners, beſides theſe two Lords, were willing to paſs over this point, and to come to the particulars.

Dr. *Steward* thought the Diſputes to be too various and general, and deſired that they might diſpute Sillogiſtically, as became Scholars, and was the beſt way to find out the Truth.

Mr. *Henderſon* told them, that he, in his younger days, had been a *Pedagogue*, and had alſo read *Logick* and *Rhetorick* to his Scholars, but had wholly, of late, declin'd that kind of Learning, yet hoped he had not forgot all of it, and therefore agreed to diſpute Syllogiſtically.

In that way they proceeded upon the points urged by the Kings Doctors, which were very clearly and largely opened by Mr. *Vynes*, Mr. *Marſhal*, and Mr. *Henderſon*, and very Learnedly replied unto by all the Kings Doctors, who did ſeverally declare their Judgments upon theſe points, but the Arguments on both parts were too large to be admitted a place in this Story.

They agreed to give in to each other Papers in Writing, of their particular Propoſals, and then, as there ſhould be occaſion, to have Verbal Debates upon any of theſe particulars; and accordingly, the Parliaments Commiſſioners firſt delivered in papers to the Kings Commiſſioners, four particulars, concerning Religion firſt to be treated on, *viz.*

The Directory for Worſhip.
The taking away the Book of Common-Prayer.
The Confirming of the Aſſemblies.
And for the King to take the Covenant of both Kingdoms.

But for the particulars at large, of the whole Treaty, I ſhall here ſubjoyn the Narrative thereof, as it was ſoon after publiſhed by His Majeſties Command, as followeth.

His Majeſty having received an Account from his Commiſſioners, of their proceedings in the late Treaty at Uxbridge, *to the end that all his people may be fully ſatisfied, of his earneſt and conſtant endeavours to procure the publick Peace, whereby to put an end to theſe preſent miſeries, hath commanded this full and plain Narrative, of all the paſſages concerning that Treaty, to be made and publiſhed.*

AFter His Majeſties Meſſage from *Eveſham*, of the 4th. of *July* laſt, deſiring and propounding a Treaty for peace, and his ſecond Meſſage from *Taveſtoke*, of the 8th. of *September* laſt, renewing that deſire, at length, on the 23d. day of *November* laſt paſt, the Earl of *Denbigh*, and others, repaired to His Majeſty at *Oxford*, with propoſitions in theſe words following:

See theſe Meſſages before in their proper places.

WE *Your Majeſties Loyal Subjects, aſſembled in the Parliaments of both your Kingdoms, from the ſence of that Duty we owe unto Your Majeſty, and of the deep Sufferings, and many Miſeries, under which your People of all your Kingdoms lye bleeding in this Unnatural War, after long and ſerious Conſultation about the beſt*

An. 1644. *ways and means of their preſervation, and for ſettling Your Majeſties Throne, and your Subjects in Peace and Security, have, with common Conſent, reſolved upon theſe Propoſitions, which we do humbly tender unto Your Majeſty.*

The humble Deſires and Propoſitions for a ſafe and well-grounded Peace, agreed upon by the mutual advice and conſent of the Parliaments of both Kingdoms, united by ſolemn League and Covenant, to be preſented to His Majeſty.

1. That by Act of Parliament in each Kingdom reſpectively, all Oaths, Declarations and Proclamations, againſt both or either of the Houſes of the Parliament of *England*, and the late Convention of Eſtates in *Scotland*, or Committees flowing from the Parliament, or Convention in *Scotland*, or their Ordinances and Proceedings, or againſt any for adhering unto them; and all Indictments, Outlaries, and Attainders againſt any for the ſaid Cauſes, be declared Null, ſuppreſſed and forbidden; and that this be publickly intimated in all Pariſh-Churches within His Majeſties Dominions, and all other places needful.

2. That His Majeſty, according to the laudable example of his Royal Father of Happy Memory, may be pleaſed to ſwear and ſign the late ſolemn League and Covenant; and that an Act of Parliament be paſſed in both Kingdoms reſpectively, for enjoyning the taking thereof, by all the Subjects of the three Kingdoms, and the Ordinances concerning the manner of taking the ſame in both Kingdoms, be confirmed by Acts of Parliaments reſpectively, with ſuch penalties as, by mutual advice of both Kingdoms, ſhall be agreed upon.

3. That the Bill be paſſed for the utter aboliſhing, and taking away of all Archbiſhops, Biſhops, their Chancellors and Commiſſaries, Deans and Sub-Deans, Deans and Chapters, Arch-Deacons, Canons and Prebendaries; and all Chanters, Chancellors, Treaſurers, Sub-Treaſurers, Succentors and Sacriſts; and all Vicars Choral and *Choriſters*; old Vicars and new Vicars of any Cathedral or Collegiate Church; and all other their under-officers, out of the Church of *England*, and Dominion of *Wales*, and out of the Church of *Ireland*, with ſuch alterations concerning the Eſtates of Prelates, as ſhall agree with the Articles of the late Treaty, of the Date at *Edinborough*, 29 of *Novemb.* 1643. And joynt Declaration of both Kingdoms.

4. That the Ordinance concerning the calling and ſitting of the Aſſembly of Divines, be confirmed by Act of Parliament.

5. That Reformation of Religion, according to the Covenant, be ſettled by Act of Parliament, in ſuch manner as both Houſes ſhall agree upon after Conſultation had with the Aſſembly of Divines; and for as much as both Kingdoms are mutually obliged by the ſame Covenant, to endeavour the neareſt Conjunction and Uniformity in matters of Religion, that ſuch Unity and Uniformity in Religion, according to the Covenant, as after Conſultation had with the Divines of both Kingdoms, now aſſembled, ſhall be joyntly agreed upon by both Houſes of the Parliament of *England*, and by the Church and Kingdom of *Scotland*, be confirmed by Acts of Parliament of both Kingdoms reſpectively.

6. That for the more effectual diſabling Jeſuits, Prieſts, Papiſts, and Popiſh Recuſants, from diſturbing the State, and deluding the Laws, and for the better diſcovering, and ſpeedy conviction of Recuſants, an Oath be Eſtabliſhed by Act of Parliament, to be adminiſtred to them, wherein they ſhall abjure and renounce the Popes Supremacy, the Doctrine of Tranſubſtantiation, Purgatory, Worſhipping of the Conſecrated Hoaſt, Crucifixes and Images, and all other Popiſh Superſtitions and Errors; and refuſing the ſaid Oath, being tendred in ſuch manner as ſhall be appointed by the ſaid Act, to be ſufficient Conviction in Law of Recuſancy.

7. An Act of Parliament for Education of the Children of Papiſts by Proteſtants, in the Proteſtant Religion.

8. An Act for the true Levying of the penalties againſt them, which penalties to be levyed and diſpoſed in ſuch manner as both Houſes ſhall agree on, wherein to be provided that His Majeſty ſhall have no leſs.

9. That an Act be paſſed in Parliament, whereby the practices of Papiſts againſt the State may be prevented, and the Laws againſt them duly executed, and a ſtricter courſe taken to prevent the ſaying or hearing of Maſs in the Court, or any other part of this Kingdom.

10. The

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10. The like for the Kingdom of *Scotland*, concerning the four laſt preceding propoſitions, in ſuch manner as the Eſtates of Parliament there ſhall think fit.

11. That the King do give his Royal Aſſent,

To an Act for the due obſervation of the Lords day.

And to the Bill for the ſuppreſſion of Innovations in Churches and Chappels, in and about the Worſhip of God, and for the better advancement of the preaching of Gods holy Word in all parts of this Kingdom;

And to the Bill againſt the enjoying of Pluralities of Benefices by ſpiritual perſons and non-reſidency;

And to an Act to be framed and agreed upon by both Houſes of Parliament, for the reforming and regulating of both Univerſities, of the Colledges of *VVeſtminſter*, *VVincheſter*, and *Eaton*.

And to an Act in like manner to be agreed upon for the ſuppreſſing of Interludes and Stage-plays; This Act to be perpetual;

And to an Act for the taking the Accompts of the Kingdom;

And to an Act to be made for relief of Sick and Maimed Souldiers, and of poor Widows and Children of Souldiers;

And to ſuch Act or Acts for Raiſing of Monies, for the payment and ſatisfying of the publick Debts and Damages of the Kingdom, and other publick uſes as ſhall hereafter be agreed on by both Houſes of Parliament;

And to an Act or Acts of Parliament, for taking away the Court of Wards and Liveries, and all Wardſhips, Liveries, *Primer ſeiſins*, and *Ouſter les maynes*, and all other charges incident or ariſing for, or by reaſon of Wardſhip, Livery, *Primer ſeiſin*, or *Ouſter les Maines*;

And for the taking away of all Tenures by homage, and all Fines, Licenſes, Seiſures, and Pardons for alienation, and all other charges incident thereunto, and for turning of all Tenures by Knights ſervice, either of His Majeſty or others, or by Knights ſervice, or ſoccage *in Capite*, of His Majeſty, into free and common Soccage: And that His Majeſty will pleaſe to accept, in recompence hereof, One hundred thouſand pounds *per Annum*;

And give aſſurance of his conſenting in the Parliament of *Scotland*, to an Act ratifying the Acts of Convention of the Eſtates of *Scotland*, called by the Councel and Conſervatory of Peace, and the Commiſſioners for the common Burthens, and aſſembled the 22d. day of *June*, 1643. and ſeveral times continued ſince in ſuch manner, and with ſuch additions, and other Acts, as the Eſtates convened in this preſent Parliament ſhall think convenient.

1. That the perſons who ſhall expect no pardon, be only theſe following, *RUPERT* and *MAURICE*, Count Palatines of the *Rhine*, *James* Earl of *Derby*, *John* Earl of *Briſtol*, *William* Earl of *Newcaſtle*, *Francis* Lord *Cottington*, *John* Lord *Pawlet*, *George* Lord *Digby*, *Edward* Lord *Littleton*, *William Laud*, Archbiſhop of *Canterbury*, *Matthew Wren* Biſhop of *Ely*, Sir *Robert Heath*, Knight, Doctor *Bramhall* Biſhop of *Derry*, Sir *John Byron* Knight, *William VViddrington*, Collonel *George Goring*, *Henry Jermin* Eſq; Sir *Ralph Hopton*, Sir *Francis Doddington*, M. *Endymion Porter*, Sir *George Ratcliffe*, Sir *Marmaduke Langdale*, Sir *John Hotham*, Captain *John Hotham* his Son, Sir *Henry Vaughan*, Sir *Francis VVindebanke*, Sir *Richard Greenvile*, Mr. *Edward Hyde*, Sir *John Marley*, Sir *Nicholas Cole*, Sir *Thomas Riddell* Junior, Collonel *VVare*, Sir *John Strangwayes*, Sir *John Culpepper*, Sir *Richard Floyd*, *John Bodvile* Eſq; M. *David Jenkins*, Sir *George Strode*, Sir *Alexander Carew*, Marqueſs of *Huntley*, Earl of *Montroſſe*, Earl of *Niddiſdail*, Earl of *Traquayre*, Earl of *Carnewath*, Viſcount of *Aubayne*, Lord *Ogleby*, Lord *Rae*, Lord *Harris*, *Lodgwick Lindſey* ſometime Earl of *Crawford*, *Patrick Ruthen* ſometime Earl of *Forth*, *James King* ſometimes Lord *Ethyn*, *Iruing* younger of *Drunim*, *Gordon* younger of *Gight*, *Leſley* of *Auchintoule*, Sir *Robert Spotſwood* of *Dunipace*, Collonel *John Cockram*, Mr. *John Maxwell*, ſometime pretended Biſhop of *Roſſe*, M. *Walter Balcanqual*; and all ſuch others, as being proceſſed by the Eſtates for Treaſon, ſhall be condemned before the Act of Oblivion be paſſed.

2. All Papiſts and Popiſh Recuſants, who have been now, are, or ſhall be actually in Arms, or Voluntarily aſſiſting againſt the Parliaments or Eſtates of either Kingdom.

3. All perſons who have had any hand in the plotting, deſigning, or aſſiſting the Rebellion in *Ireland*.

4. That *Humphrey Bennet* Eſquire, Sir *Edward Ford*, Sir *John Penruddock*, Sir

An. 1644

George Vaughan, Sir *John Weld*, Sir *Robert Lee*, Sir *John Pate*, *John Ackland*, *Edmund Windham* Eſquires, Sir *John Fitzherbert*, Sir *Edward Laurence*, Sir *Ralph Dutton*, *Henry Lingen* Eſq; Sir *William Ruſſell* of *Worceſterſhire*, *Thomas Lee* of *Adlington* Eſq; Sir *John Girlington*, Sir *Paul Neale*, Sir *William Thorald*, Sir *Edward Huſſey*, Sir *Tho. Lyddell* Senior, Sir *Philip Muſgrave*, Sir *John Digby* of *Nottingham*, Sir *Hen. Fletcher*, Sir *Richard Minſhall*, *Laurence Halſteed*, *John Denham* Eſquires, Sir *Edmund Forteſcue*, *Peter St. Hill* Eſq; Sir *Thomas Tildeſley*, Sir *Hen. Griffith*, *Michael Wharton* Eſq; Sir *Hen. Spiller*, Sir *George Benion*, Sir *Edward Nicholas*, Sir *Edward Walgrove*, Sir *Edward Biſhop*, Sir *Robert Owſley*, Sir *John Maney*, Lord *Cholmely*, Sir *Thomas Aſton*, Sir *Lewis Dives*, Sir *Peter Osborne*, *Samuel Thorneton* Eſq; Sir *John Lucas*, *John Blomey* Eſq; Sir *Thomas Chedle*, Sir *Nicholas Kemiſh*, and *Hugh Lloyd* Eſq; and all ſuch of the *Scottiſh* Nation, as have concurred in the Votes at *Oxford*, againſt the Kingdom of *Scotland* and their proceedings, or have Sworn or Subſcribed the Declaration againſt the Convention and Covenant; and all ſuch as have aſſiſted the Rebellion in the *North*, or the Invaſion in the *South* of the ſaid Kingdom of *Scotland*, or the late Invaſion made there by the *Iriſh* and their Adherents; and that the Members of either Houſe of Parliament, who have not only deſerted the Parliament, but have alſo been Voted by both Kingdoms Traytors, may be removed from His Majeſties Councils, and be reſtrained from coming within the Verge of the Court, and that they may not without the advice and conſent of both Kingdoms, bear any Office, or have any Employment concerning the State or Commonwealth. And alſo, that the Members of either Houſe of Parliament, who have deſerted the Parliament, and adhered to the Enemies thereof, and not rendred themſelves before the laſt of *October*, 1644. may be removed from His Majeſties Councils, and be reſtrained from coming within the Verge of the Court, and that they may not, without the advice and conſent of both Houſes of Parliament, bear any Office, or have any Employment concerning the State or Commonwealth: And in caſe any of them ſhall offend therein, to be guilty of High-Treaſon, and incapable of any pardon by His Majeſty, and their Eſtates to be diſpoſed as both Houſes of Parliament in *England*, or the Eſtates of the Parliament in *Scotland* reſpectively ſhall think fit.

5. That by Act of Parliament, all Judges and Officers towards the Law Common or Civil, who have deſerted the Parliament and adhered to the Enemies thereof, be made incapable of any place of Judicature or Office, towards the Law Common or Civil: And that all Serjeants, Counſellors and Attorneys, Doctors, Advocates and Proctors, of the Law Common or Civil, who have deſerted the Parliament, and adhered to the Enemies thereof, be made incapable of any practice in the Law Common or Civil, either in publick or in private. And that they, and likewiſe all Biſhops, Clergymen, and other Eccleſiaſtical perſons, who have deſerted the Parliament, and adhered to the Enemies thereof, ſhall not be capable of any preferment or imployment, either in Church or Common-wealth, without the advice and conſent of both Houſes of Parliament.

6. The perſons of all others to be free of all perſonal cenſure, notwithſtanding any act or thing, done, in, or concerning this War, they taking the Covenant.

7. The Eſtates of thoſe perſons, excepted in the firſt three preceding qualifications, to pay publick Debts and Damages.

8. A third part in full value of the Eſtates of the perſons made incapable of any Imployment, as aforeſaid, to be imployed for the payment of the publick Debts and Damages, according to the Declaration.

9. And likewiſe a tenth part of the Eſtates of all other Delinquents within the joynt Declarations; and in caſe the Eſtates and proportions aforementioned, ſhall not ſuffice for the payment of the publick engagments, whereunto they are onely to be employed, that then a new proportion may be appointed by the joynt advice of both Kingdoms, providing, it exceed not the one moyety of the Eſtates of the perſons made incapable, as aforeſaid, and that it exceed not a ſixth part of the Eſtate of the other Delinquents.

10. That the perſons and Eſtates of all common Soldiers, and others of the Kingdom of *England*, who in Lands or Goods be not worth 200 *l.* ſterling; and the perſons and Eſtates of all common Soldiers, and others of the Kingdom of *Scotland*, who in Lands or Goods be not worth 100 *l.* ſterling, be at liberty and diſcharged.

11. That an Act be paſſed whereby the Debts of the Kingdom and the perſons of Delinquents, and the value of their Eſtates may be known; and which Act ſhall appoint in what manner the confiſcations and proportions before mentioned, may be levyed and applyed to the diſcharge of the ſaid engagements. 12. That

20 *Caroli.*

12. That an Act be paſſed in the Parliament of both Kingdoms reſpectively, for Confirmation of the Treaties paſſed betwixt the two Kingdoms, (*viz.*) The large Treaties, the late Treaty for the coming of the *Scots* Army into *England*, and ſettling of the Garriſon of *Berwick* of the 29th. of *November*, 1643. and the Treaty concerning *Ireland* of the 6th. of *Auguſt*, 1642. with all their Ordinances and Proceedings paſſed betwixt the two Kingdoms, in purſuance of the ſaid Treaties.

13. That an Act of Parliament be paſſed to make void the Ceſſation of *Ireland*, and all Treaties with the Rebels, without conſent of both Houſes of Parliament, and to ſettle the proſecution of the War of *Ireland* in both Houſes of Parliament, to be managed by the joynt advice of both Kingdoms; and the King to aſſiſt, and to do no Act to diſcountenance or moleſt them therein.

14. That an Act be paſſed in the Parliament of both Kingdoms reſpectively, for eſtabliſhing the joynt Declaration of both Kingdoms, bearing date the 30th. of *January*, 1643. in *England*, and 1644. in *Scotland*, with the qualifications enſuing:

15. That by Act of Parliament the Subjects of the Kingdom of *England*, may be appointed to be Armed, Trained and Diſciplined in ſuch manner as both Houſes ſhall think fit, the like for the Kingdom of *Scotland*, in ſuch manner as the Eſtates of Parliament there ſhall think fit.

16. That an Act of Parliament be paſſed for the ſettling of the Admiralty and Forces at Sea, and for the raiſing of ſuch Moneys for maintenance of the ſaid Forces, and of the Navy, as both Houſes of Parliament ſhall think fit; the like for the Kingdom of *Scotland*, in ſuch manner as the Eſtates of Parliament there ſhall think fit.

17. An Act for the ſettling of all Forces both by Sea and Land, in Commiſſioners to be nominated by both Houſes of Parliament, of perſons of known integrity, and ſuch as both Kingdoms may confide in, for their faithfulneſs to Religion, and Peace of the Kingdoms of the Houſe of Peers, and of the Houſe of Commons, who ſhall be removed or altered from time to time as both Houſes ſhall think fit; and when any ſhall die, others to be nominated in their places by the ſaid Houſes; Which Commiſſioners ſhall have power,

1. To ſuppreſs any Forces raiſed without authority of both Houſes of Parliament, or in the intervals of Parliaments, without conſent of the ſaid Commiſſioners, to the diſturbance of the publique peace of the Kingdoms, and to ſuppreſs any Forreign Forces that ſhall invade this Kingdom, and that it ſhall be high Treaſon in any who ſhall Levy any Force without ſuch authority or conſent, to the diſturbance of the publique Peace of the Kingdoms, any Commiſſion under the Great Seal, or Warrant to the contrary notwithſtanding, and they to be incapable of any Pardon, from His Majeſty, and their Eſtates to be diſpoſed of as both Houſes of Parliament ſhall think fit:

2. To preſerve the Peace now to be ſettled, and to prevent all diſturbance of the publique Peace that may ariſe by occaſion of the late Troubles: ſo for the Kingdom of *Scotland*.

3. To have power to ſend part of themſelves ſo as they exceed not a third part, or be not under the number of to reſide in the Kingdom of *Scotland*, to aſſiſt and Vote as ſingle perſons with the Commiſſioners of *Scotland*, in thoſe matters wherein the Kingdom of *Scotland* is onely concerned: So for the Kingdom of *Scotland*.

4. That the Commiſſioners of both Kingdoms may meet as a joynt Committee, as they ſhall ſee cauſe, or ſend part of themſelves as aforeſaid, to do as followeth.

1. To preſerve the Peace betwixt the Kingdoms, and the King, and every one of them.

2. To prevent the violation of the Articles of Peace, as aforeſaid, or any troubles ariſing in the Kingdoms by breach of the ſaid Articles, and to hear and determine all differences that may occaſion the ſame according to the Treaty, and to do further according as they ſhall reſpectively receive Inſtructions from both Houſes of Parliament of *England*, or the Eſtates of the Parliament in *Scotland*, and in the intervals of Parliaments from the Commiſſioners for the preſervation of the publick Peace.

3. To raiſe and joyn the Forces of both Kingdoms to reſiſt all Forreign Invaſion, and to ſuppreſs any Forces raiſed within any of the Kingdoms, to the diſturbance of the publick Peace of the Kingdoms, by any authority under the great

An. 1644. great Seal, or other warrant whatſoever, without conſent of both Houſes of Parliament in *England*, and the Eſtates of the *Parliament* in *Scotland*, or the ſaid Commiſſioners of that Kingdom whereof they are Subjects; and that in thoſe caſes of joynt concernment to both Kingdoms, the Commiſſioners, to be directed to be there all, or ſuch part as aforeſaid, to act and direct as joynt Commiſſioners of both Kingdoms.

4. To order the War of *Ireland*, according to the Ordinance of the 11*th.* of *April*, and to order the *Militia*, and conſerve the peace of the Kingdom of *Ireland*.

18. That His Majeſty give his aſſent to what the two Kingdoms ſhall agree upon, in proſecution of the Articles of the large Treaty, which are not yet finiſhed.

19. That by Act of *Parliament* all *Peers*, made ſince the day that *Edward* Lord *Littleton*, then Lord Keeper of the Great Seal, deſerted the *Parliament*, and that the ſaid Great Seal was ſurreptitiouſly conveyed away from the *Parliament* being the 21 day of *May*, 1642. And who ſhall be hereafter made, ſhall not Sit or Vote in the *Parliament* of *England*, without conſent of both Houſes of Parliament, and that all Honour and Title conferred on any, without conſent of both Houſes of Parliament, ſince the 20*th.* day of *May* 1642. being the day that both Houſes declared, That the King, ſeduced by evil Counſel, intended to raiſe War againſt the Parliament, be declared null and void. The like for the Kingdom of *Scotland*, thoſe being excepted whoſe Patents were paſſed the Great Seal before the 4*th.* of *June*, 1644.

20. That by Act of *Parliament* the Deputy or chief Governour, or other Governours of *Ireland*, be nominated by both Houſes of Parliament, or in the intervals of Parliament by the Commiſſioners, to continue during the pleaſure of the ſaid Houſes, or in the intervals of Parliament during the pleaſure of the afore-mentioned Commiſſioners, to be approved or diſallowed by both Houſes at their next ſitting. And that the Chancellor or Lord *Keeper*, Lord Treaſurer, Commiſſioners of the Great Seal, or Treaſury, Lord *Warden* of the Cinque Ports, Chancellors of the Exchequer, and Duchee, Secretaries of State, Judges of both Benches, and of the Exchequer of the Kingdoms of *England* and *Ireland*, be nominated by both Houſes of Parliament, to continue *quam diu ſe bene geſſerint*, and in the intervals of Parliament by the afore-mentioned Commiſſioners to be approved or diſallowed by both Houſes at their next ſitting; The like for the Kingdom of *Scotland*, adding the Juſtice General, and in ſuch manner as the Eſtates in Parliament there ſhall think fit.

21. That by Act of Parliament the Education of Your Majeſties Children, and the Children of Your Heirs and Succeſſors be in the true Proteſtant Religion, and that their Tutors and Governours be of known Integrity, and be choſen by the Parliaments of both Kingdoms, or in the intervals of Parliaments, by the afore-named Commiſſioners to be approved or diſallowed by both Parliaments at their next ſitting. And that if they be Male, they be Married to ſuch only as are of the true Proteſtant Religion, if they be Females, they may not be married but with the advice and conſent of both Parliaments, or in the intervals of Parliament of their Commiſſioners.

22. That your Majeſty will give your Royal aſſent to ſuch ways and means as the Parliaments of both Kingdoms ſhall think fitting for the uniting of the Proteſtant Princes, and for the entire reſtitution and Re eſtabliſhment of *Charles Lodwick* Prince Elector Palatine, His Heirs and Succeſſors, to His Electoral Dignity, Rights and Dominions, Provided that this extend not to Prince *Rupert*, or Prince *Maurice*, or the Children of either of them, who have been the Inſtruments of ſo much blood ſhed and miſcheif againſt both Kingdoms.

23. That by Act of Parliament the concluding of Peace or War with Foreign Princes and States, be with advice and conſent of both Parliaments, or in the intervals of Parliaments by their Commiſſioners.

24. That an Act of Oblivion be paſſed in the Parliaments of both Kingdoms reſpectively, relative to the Qualifications in the Propoſitions aforeſaid, concerning the joynt Declaration of both Kingdoms, with the exception of all Murderers, Thieves and other Offenders, not having relation to the War.

25. That the Members of both Houſes of Parliament, or others, who have during this Parliament, been put out of any Place or Office, Penſion or Benefit, for adhering to the Parliament, may either be reſtored thereunto, or otherwiſe have Recompence for the ſame, upon the humble deſire of both Houſes of Parliament. The like for the Kingdom of *Scotland*.

26. That

26. That the Armies may be disbanded at such time and in such manner, as shall be agreed upon by the *Parliaments* of both Kingdoms, or such as shall be authorized by them to that effect.

27. That an Act be passed for the granting and confirming of the Charters, Customes, Liberties and Franchises of the City of *London*, notwithstanding any *Non-user*, *Mis-user* or *Abuser*. That the Militia of the City of *London*, may be in the ordering and Government of the Lord Maior, Aldermen and Commons in Common Council assembled, or such as shall they from time to time appoint, whereof the Lord Maior and Sheriffs for the time being to be there. And that the Militia of the *Parishes* without *London*, and the Liberties within the weekly Bills of Mortality, may be under Command of the Lord Maior, Aldermen, and Commons in Common Council of the said City, to be ordered in such manner as shall be agreed on and appointed by both Houses of *Parliament*.

That the Tower of *London* may be in the Government of the City of *London*, and the Chief Officer, and Governour thereof from time to time be nominated and removable by the Common Council.

That the Citizens or forces of *London*, shall not be drawn out of the City into any other parts of the Kingdom, without their own consent, and that the drawing of their Forces into other parts of the Kingdom in these distracted times, may not be drawn into example for the future.

And for prevention of Inconveniences, which may happen by the long intermission of Common-Councils; It is desired that there be an Act, that all By-Laws and Ordinances already made or hereafter to be made by the Lord Mayor, Aldermen, and Commons in Common-Council assembled, touching the calling, continuing, directing, and regulating of the same, shall be as effectual in Law to all intents and purposes, as if the same were particularly enacted by the Authority of Parliament. And that the Lord Mayor, Aldermen, and Commons in Common-Council may add to, or repeal the said Ordinances from time to time as they shall see cause.

That such other Propositions as shall be made for the City for their farther safety, welfare, and Government, and shall be approved of by both Houses of Parliament, may be granted and confirmed by Act of Parliament.

Upon consideration of which Propositions, His Majesty sent the *Duke* of *Richmond*, and the *Earl* of *Southampton* with this Message of the 13*th*. of *December*.

II.

HIS Majesty hath seriously considered your *Propositions*, and finds it very difficult, in respect they import so great an alteration in Government, both in Church and State, to return a particular and positive answer before a full debate; wherein those *Propositions*, and all the necessary Explanations, and reasons for assenting, dissenting, or qualifying, and all inconveniences, and mischiefs which may ensue, and cannot otherwise be so well foreseen, may be discussed and weighed; His Majesty therefore proposeth and desireth, as the best expedient for *Peace*, That you will appoint such number of *Persons* as you shall think fit, to Treat with the like number of *Persons* to be appointed by His Majesty, upon the said *Propositions*, and such other things as shall be proposed by His Majesty, for the preservation and defence of the *Protestant Religion* (with due regard to the ease of tender Consciences, as His Majesty hath often offered) The Rights of the Crown, the Liberty and *Property* of the Subject, and the *Priviledges* of *Parliament*. And upon the whole matter to conclude a happy and blessed Peace.

Unto which Message this Answer of the 27*th*. of *December* was returned to His Majesty.

May it please your Most Excellent Majesty,

III.

WEE *your Majesties humble and Loyal Subjects of both Kingdoms, have considered of Your Majesties Message of the* 13 *of* December 1644. *sent by the Duke of* Richmond, *and the Earl of* Southampton, *directed to the Lords and Commons*

An. 1644. *mons assembled in the Parliament of* England *at* Westminster, *and to the Commissioners of the Parliament of* Scotland *now at* London. *And do in all humbleness return this Answer.*

That we do consent that there be a Treaty for a safe and well grounded Peace: But find that it will require some time to resolve concerning the Instructions, and manner of that Treaty; And therefore, that Your Majesty might not be held in suspence touching our readiness to make use of any opportunity for attaining such a blessed and happy Peace in all your Majesties Dominions, We would not stay Your Majesties Messengers till we did resolve upon all those particulars, which we will take into our serious consideration, and present our humble desires to Your Majesty with all convenient speed.

Westminster *the* 20th. *of* Decemb. 1644.

Gray *of* Wark, *Speaker of the House of Peers* pro tempore.

Signed in the name, and by Warrant of the Commissioners of the Parliament of Scotland.
LOWDON.

William Lenthal, *Speaker of the Commons House Assembled in Parliament.*

And afterwards upon the 18*th.* of *January* following, Sir *Peter Killigrew* brought this farther Answer to His Majesty.

May it please Your Most Excellent Majesty,

IV. WEE *Your Majesties humble and Loyal Subjects, the Lords and Commons Assembled in the Parliament of* England *at* Westminster, *and the Commissioners of the Parliament of* Scotland, *do make our further answer to Your Majesties Message of the* 13th. *of* December *last*, 1644.

Concerning a Treaty for Peace as followeth.

We do consent that there be a Treaty for a safe and well-grounded Peace between your Majesty and your humble and Loyal Subjects assembled in the Parliaments of both Kingdoms. And for the present have appointed Algernon *Earl of* Northumberland, Philip *Earl of* Pembrooke *and* Montgomery, William *Earl of* Salisbury, Basill *Earl of* Denbigh, Thomas *Lord Viscount* Wenman, Denzill Hollis, William Pierpoint, *Sir* Henry Vane *Junior*, Oliver St. John, Bulstrode Whitlock, John Crew, Edmond Prideaux, *for the Lords and Commons assembled in the Parliament of* England *at* Westminster; *And* John *Earl of* Lowdon, *Lord Chancellor of* Scotland, Archibald *Marquess of* Argyle, John *Lord* Maitland, John *Lord* Balmerino, *Sir* Archibald Johnston, *Sir* Charles Erskin, George Dundas, *Sir* John Smith, *Mr.* Hugh Kennedy, *and Mr.* Robert Barclay, *for the Estates of the Parliament of* Scotland, together with Master *Alexander Henderson*, upon the Propositions concerning Religion, *who, or any Ten of them (there being always some of the Parliaments of both Kingdoms) are appointed and authorized to meet at* Uxbridge, *on what day Your Majesty shall be pleased to set down before the last day of this present* January, *with such Persons as Your Majesty shall appoint under Your Sign Manual for that purpose; And the number of the Persons to Treat, not to exceed seventeen on either part, unless the persons named for the Estates of the Parliament of* Scotland *now not here, or any of them shall come, and then Your Majesty may have the like number if you please. There* to Treat upon the Matters contained in the Propositions we lately sent unto Your Majesty; according to such Instructions as shall be given unto them, *And the Propositions for* Religion, *the* Militia, *and for* Ireland, *to be first Treated on and agreed, and the time for the Treaty upon the said Propositions for* Religion, *the* Militia, *and for* Ireland, *not to exceed Twenty days, and for the things mentioned in Your Message, to be propounded by Your Majesty, when the Persons sent by Your Majesty shall communicate the same to the Committees appointed by us as aforesaid, We have directed them to send the same to us, That they may receive our Instructions what to do therein. And to the end that the Persons that are to be sent from your Majesty and from us with their retinue, not exceeding the number of one Hundred and Eight on either part, may repair to* Uxbridge, *stay there, and return at*

at their pleaſure without interruption, That mutual ſafe Conducts be granted to the ſaid Perſons according to the ſeveral Liſts of their Names

Signed by Order of the Lords and Commons Aſſembled in the Parliament of England *at* Weſtminſter.

Signed in the name and by warrant of the Commiſſioners of the Kingdom of Scotland.
LOWDON.

Gray *of* Wark *Speaker of the Houſe of Peers,* pro tempore.

William Lenthall *Speaker of the Commons Houſe in the Parliament of* England.

Whereunto His Majeſty returned an Anſwer incloſed in a Letter from Prince *Rupert* to the Earl of *Eſſex*, dated the 21 of *January*; which Letter and Anſwer were as followeth.

The Letter.

My Lord,

I Am commanded by His Majeſty to return this His Anſwer to the Meſſage, lately ſent Him from the Lords and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, and the Commiſſioners of the Parliament of *Scotland*, by Sir *Peter Killigrew*. I have likewiſe ſent your Lordſhip His Majeſties ſafe Conduct for the perſons deſired, and alſo a Liſt of the names of thoſe His Majeſty hath appointed to Treat, for whom, together with their Retinue, His Majeſty hath deſired a ſafe Conduct.

V. *Together with this incloſed in a Letter from Pr.* Rupert *to the E. of* Eſſex, *His Majeſty ſent a ſafe Conduct for their Commiſſioners and their retinue.*

The Anſwer incloſed.

HIS Majeſty having received a Meſſage by Sir *Peter Killigrew*, from the Lords and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, and the Commiſſioners of the Parliament of *Scotland*, concerning a Treaty, returns this Anſwer, That His Majeſty doth very willingly conſent that there be a Treaty upon *the Matters contained in the Propoſitions, lately ſent unto him in ſuch manner as is propoſed, and at the place appointed* in the ſaid Meſſage; and to that purpoſe, His Majeſty will ſend the Duke of *Richmond*, the Marquets of *Hertford*, the Earl of *Southampton*, the Earl of *Kingſton*, the Earl of *Chicheſter*, the Lord *Capel*, the Lord *Seymour*, the Lord *Hatton*, the Lord *Culpeper*, Secretary *Nicholas*, M. *Chancellour*, of the Exchequer, the Lord Chief Baron *Lane*, Sir *Orlando Bridgman*, Sir *Thomas Gardiner*, Mr. *John Aſhburnham*, Mr. *Jeffery Palmer*, (*together with* Dr. Steward *Clerk of His Majeſties Cloſet, upon the Propoſitions concerning Religion,*) to meet with the perſons, mentioned in the ſaid Meſſage at *Uxbridge* on *Wedneſday* night the 29*th* of this Inſtant *January*, the Treaty to begin the next day: Which perſons or any ten of them, ſhall be *ſufficiently authoriſed by His Majeſty to Treat and conclude on His Majeſties part.* And to the end that the perſons aforeſaid and their Retinue may repair to *Uxbridge*, ſtay there, and reurn at their pleaſure without interruption, or go or ſend, during their abode there, to His Majeſty, as often as occaſion ſhall require; His Majeſty deſires that a ſafe Conduct may accordingly be ſent for the ſaid perſons and their Retinue, according to a Liſt of their Names herewith ſent.

VI.

And then alſo incloſed in a Letter from Prince *Rupert* to the Earl of *Eſſex*, His Majeſty ſent propoſitions to be Treated upon on His Majeſties part, which Letter and propoſitions follow.

My Lord,

I *Am commanded by His* Majeſty *to ſend theſe enclоſed Propoſitions to your Lordſhip, to be preſented to the Lords and Commons aſſembled in the Parliament of* England *at* Weſtminſter, *and the Commiſſioners of the Parliament of* Scotland, *to the end that there may be as little loſs of time as is poſſible, but that the ſame may be treated on as ſoon as may be thought convenient, after the entry upon the Treaty.*

VII. *Pr.* Ruperts *Letter.*

An. 1644.

His Majeſty's Propoſitions to the Lords and Commons Aſſembled in the Parliament of England *at* Weſtminſter, *and the Commiſſioners of the Parliament of* Scotland, *for a ſafe and well grounded Peace.*

VIII. *His Majeſties Propoſitions.*

1. THat his Majeſties own Revenue, Magazines, Towns, Forts and Ships, which have been taken or kept from him by force, be forthwith reſtored unto him.

2. That whatſoever hath been done or publiſhed contrary to the known Laws of the Land, or derogatory to his Majeſties Legal and known power and rights, be renounced and recalled; That no ſeed may remain for the like to ſpring out of for the future.

3. That whatſoever illegal power hath been claimed or exerciſed by, or over his ſubjects, as impriſoning or putting to death their perſons without Law, ſtopping their *Habeas Corpuſſes*, and impoſing upon their Eſtates without Act of Parliament, *&c.* either by both, or either Houſe, or any Committee of both or either, or by any perſons appointed by any of them, be diſclaimed, and all ſuch perſons ſo committed forthwith diſcharged.

4. That as his Majeſty hath always profeſſed his readineſs to that purpoſe, ſo he will moſt cheerfully conſent to any good Acts to be made for the ſuppreſſion of *Popery*, and for the firmer ſetling of the *Proteſtant Religion* eſtabliſhed by Law; As alſo that a good Bill may be framed for the better preſerving of the Book of Common-prayer from ſcorn and violence; And that another Bill may be framed for the eaſe of tender Conſciences, in ſuch particulars as ſhall be agreed upon. For all which his Majeſty conceives the beſt expedient to be, that a National Synod be legally called with all convenient ſpeed.

5. That all ſuch perſons, as upon the Treaty ſhall be excepted, and agreed upon on either ſide out of the General pardon, ſhall be tryed *Per Pares*, according to the uſual courſe and know Law of the Land, and that it be left to that, either to acquit, or condemn them.

6. And to the intent this Treaty may not ſuffer interruption by any intervening Accidents, That a Ceſſation of Arms, and free Trade for all his Majeſties ſubjects may be agreed upon with all poſſible ſpeed.

Given at the Court at *Oxford*, the 21*th.* day of *Jan.* 1644.

The Earl of *Eſſex* upon Receipt hereof returned to Prince *Rupert*, together with a ſafe Conduct, this Letter of the 25*th.* of *January*.

IX.

Sir,

I Am commanded by both Houſes of the Parliament of England, *and deſired by the Commiſſioners of the Kingdom of* Scotland, *to deſire your Highneſs to let His Majeſty know, That they do agree, that their Committees do begin the Treaty at* Uxbridge *on* Thurſday *the* 30th. *of this* January, *with the Perſons appointed by His Majeſty on the matters contained in the Propoſitions lately ſent unto His Majeſty in ſuch manner as was propoſed. And their Committees ſhall have Inſtructions concerning the Propoſitions ſent from His Majeſty in your Highneſs Letter. And you will herewith receive a ſafe Conduct from the Lords and Commons aſſembled in the Parliament of* England, *for the Perſons that are appointed by His Majeſty to come to* Uxbridge, *to Treat on the Propoſitions for a ſafe and well grounded Peace, with their Retinue in a Liſt hereunto annexed. Sir I am*

Weſtminſter 25th *Jan.* 1644.

Your Highneſs humble Servant
ESSEX.

Thurſday the 30th. of *January*, all the Commiſſioners named by His Majeſty, and Commiſſioners named by the two Houſes of *Parliament* in *England*, and the Eſtates of the *Parliament* in *Scotland*, did meet at *Uxbridge*, where their Commiſſions were mutually delivered in, and read, and are as followeth.

His

20 *Caroli.*

His MAJESTIES Commiſſion.

CHARLES R.

X.

WHEREAS after ſeveral Meſſages ſent by us to the Lords and Commons of *Parliament* aſſembled at *Weſtminſter*, expreſſing Our deſires of peace, certain propoſitions were ſent from them, and brought unto Us at *Oxford*, in *November* laſt, by the Earl of *Denbigh* and others, and upon Our Anſwers, Meſſages, and propoſitions to them, and their returns to Us, it is now agreed, That there ſhall be a Treaty for a ſafe and well grounded peace, to begin at *Uxbridge* on Thurſday the 30th of this Inſtant *January*, as by the ſaid propoſitions, Anſwers, Meſſages, and returns in writing may more fully appear. We do therefore hereby appoint, aſſign, and conſtitute, *James* Duke of *Richmond* and *Lenox*, *William* Marqueſs of *Hertford*, *Thomas* Earl of *Southampton*, *Henry* Earl of *Kingſton*, *Francis* Earl of *Chicheſter*, *Francis* Lord *Seymour*, *Arthur* Lord *Capel*, *Chriſtopher* Lord *Hatton*, *John* Lord *Culpeper*, Sir *Edward Nicholas* Knight, one of Our principal Secretaries of State, Sir *Edward Hide* Knight, Chancellor and Under-Treaſurer of Our Exchequer, Sir *Richard Lane*, chief Baron of Our ſaid Exchequer, Sir *Thomas Gardiner*, Sir *Orlando Bridgeman*, Mr. *John Aſhburnham*, and Mr. *Jeffery Palmer*, (together with Doctor *Richard Steward*, upon theſe propoſitions concerning Religion) to be Our Commiſſioners touching the premiſſes. And do hereby give unto them, and to any ten or more of them, full power and authority to meet, and on Our part to Treat with *Algernoun* Earl of *Northumberland*, *Philip* Earl of *Pembroke* and *Montgomery*, *William* Earl of *Saliſbury*, *Baſill* Earl of *Denbigh*, *Thomas* Lord Viſcount *Henman*, *Denzil Hollis*, *William Pierpoint* Eſquires, Sir *Henry Vane* the younger, Knight, *Oliver* St. *John*, *Bulſtrode Whitlock*, *John Crew*, and *Edmond Prideaux* Eſquires, for the Lords and Commons aſſembled in the *Parliament* of *England* at *Weſtminſter*; and *John* Earl of *Lowdon*, Lord Chancellor of *Scotland*, *Archibald* Marqueſs of *Argile*, *John* Lord *Maitland*, *John* Lord *Balmerino*, Sir *Archibald Johnſton*, Sir *Charles Erskin*, *George Dundas*, Sir *John Smith*, Mr. *Hugh Kennedy*, and Mr. *Robert Barclay*, for the Eſtates of *Parliament* of *Scotland*; (together with Mr. *Alexander Henderſon*, upon the propoſitions concerning Religion) or with any ten or more of them, upon and touching the matters contained in the ſaid propoſitions, Anſwers, and Meſſages, or any other, according to the manner and agreement therein ſpecified, or otherwiſe, as they or any ten, or more of them, ſhall think fit, and to take all the premiſſes into their ſerious Conſiderations, and to compoſe, conclude, and end all differences ariſing thereupon, or otherwiſe, as they, or any ten or more of them in their wiſdoms ſhall think fit; And upon the whole matter to conclude a ſafe and well grounded peace, if they can; And whatſoever they or any ten or more of them, ſhall do in the premiſſes, We do by theſe preſents ratifie and confirm the ſame.

Jan. 18. 1644.

Given at our Court at Oxford, *the Eight and Twentieth day of* January, *in the Twentieth year of Our Reign.* 1644.

The Commiſſion to the Engliſh *Commiſſioners.*

Die Martis. 28. January. 1644.

XI.

BEE *it Ordained by the Lords and Commons aſſembled in Parliament*; *That* Algernoun *Earl of* Northumberland, Philip *Earl of* Pembroke *and* Montgomery, William *Earl of* Salisbury, Bazil *Earl of* Denbigh, Thomas *Lord Viſcount* Wenman, Denzil Hollis, William Pierepoint, *Sir* Henry Vane *Junior*, Oliver *St.* John, Bulſtrode Whitlock, John Crew, *and* Edmond Prideaux, *ſhall have power and authority, and are hereby authorized to joyn with the Commiſſioners of the Parliament of* Scotland, *together with* Alexander Henderſon *upon the propoſitions concerning Religion only, To Treat with the Lord Duke of* Richmond, *Marqueſs of* Hertford, *the Earl of* Southampton, *the Earl of* Kingſton, *the Lord* Dunſmore, *Lord* Capel, *Lord* Seymour, *Sir* Chriſtopher Hatton, *Sir* John Culpeper, *Sir* Edward Nicholas, *Sir* Edward Hide, *Sir* Richard Lane, *Sir* Orlando Bridgeman,

Jan. 18. 1644.

An. 1644.

Sir Thomas Gardiner, *Mr.* John Aſhburnham, *Mr.* Jeffery Palmer, *or any ten of them, upon the Propoſitions formerly ſent to His Majeſty (for a ſafe and well-grounded Peace) from His Majeſties Humble and Loyal Subjects aſſembled in the Parliaments of both Kingdoms, together with Dr.* Steward, *upon the Propoſitions concerning Religion only, and upon His Majeſties Propoſitions according to ſuch Inſtructions as have been given to them, or as they from time to time ſhall receive from both Houſes of Parliament.*

John Brown,
Cler. Parliamentor.

Their Commiſſion to the *Scots* Commiſſioners.

July 16. 1644. XII.

AT Edinburgh *the ſaxteint day of* Julii. *The zeir of God* M. vjc *fourtye four zeires. The Eſtaiſtes of Parliament preſentlie conveined be vertew of the laſt act of the laſt Parliament, haildin by His Majeſty and thrie Eſtaites in* Anno 1641. *Conſiddering that this Kingdome after all uther means of ſupplicationnes, Remonſtrances, and ſending of Commiſſionaris to His Majeſty, who have bein uſed without ſucceſſ, Did enter into a ſolemne League and Covenant, with the Kingdom and Parliament of* England, *for Reformatione & defence of Religionne, the honor & happines of the King, the peace and ſafety of the thrie Kingdoms, of* Scotland, England, *and* Ireland. *And ane Treattie aggried upon, and one Armie and Forces raiſed and ſent out of yis Kingdom for theſe endis. Quhairupone the Conventionne of Eſtaiſtes of this Kingdome, the nynt of* January *laſt, being deſirous to uſe all good and lawfull meanes, that Treuth and Peace might be eſtabliſhed in all His Majeſties Dominions, with ſuch a bleſſed Pacificationne betwixt His Majeſty and His Subjectis, as might ſerve moſt for His Majeſties trew honor, and the ſafety and happines of his people; Granted Commiſſionne to* John *Erle of* Lowdounne *heigh Chancellor of* Scotland, Johne *Lord* Maitland, *than and zit in* England, *Sir* Archibald Johnſtounne *of* Warieſtounne, *ane of the Lords of* Seſſionne, *and Maiſter* Robert Barclay *now in* England, *to repaire to* England, *with power to thame, or any twa of yame, to endeavoure the effectuating of the foirſaides endis, conforme to the Commiſſione and inſtructiones than giving to thame; as the Commiſſione of the dait forſaid proportis. Lyke as the ſaides* Johne *Lord of* Maitland, *Sir* Archibald Johneſtounne, *and Maiſter* Robert Barclay *have evir ſince attendit in* England, *in the diſcharge of the foirſaid Commiſſione. Qunhill lately that Sir* Archibald Johneſtounne *returned with ſome Propoſitiones, prepaired by the Committie of both Kingdomes, to be preſented to the Eſtaites of* Scotland, *and to both howſs of the Parliament of* England, *and by thame to be reviſed, and conſidderit, and thaw by mutuall advyſe of both Kingdomes to be preſented for ane ſafe and weill grounded peace. Qwhilkies Propoſitiones ar reviſed, and conſidderit, and advyſed be the Eſtaites of Parliament now conveined, and their ſenſe and reſultis drawin up yrupone. Whiche Commiſſione is to endure while the comming of the Commiſſionars underwrittin. And heeirwith alſo conſidderin, That the endis for the whilk the ſamen was granted, ar not zit effectuate; and that the Propoſitiones with ye Eſtaites their reſultis yrupone ar to be returned to ye Parliament of* England. *Thairfore the Eſtaites of Parliament be thir preſentis gives full powar and Commiſſione to the ſaid* Johne *Erle of* Lowdonne, *Lord heigh Chancellor of yis Kingdome,* Archibald *Marqueis of* Argyle, *and* Johne *Lord* Balmerino *for the Nobility, Sir* Archibald Johneſtounne *of* Warieſtonne, *Sir* Charles Erskyne *of* Cambuuskenneth, *and Maiſter* George Dundas *of* Maner, *for the Barrones, Sir* Johne Smyth *of* Grottell *Proveiſt of* Edenburgh, Hew Kennedy *Burges of* Air, *and Maſter* Robert Barclay *for the Burrowes (the thrie Eſtates of yis Kingdom) and to* Johne *Lord* Maitland *ſupernumerarie in this Commiſſione, or to any thrie or mae of the haill number, thair being ane of ilk Eſtate as Commiſſionaris from the Eſtaites of Parliament of this Kinkdome, to repaire to the Kinkdome of* England (*ſick of them as ar not thair already*) *and with powar to thame or any thrie or mae of the whole number, thair being ane of ilk Eſtaite, to endeavour the effectuating of ye foirſaides endis, the concluding of the Propoſitions with the Eſtaites thaire reſults thairupon, And all ſuche uyr matteris concerning the good of bothe Kingdoms, as ar or all be from time to time committed unto thame be the Eſtaites of yis Kingdome or Committies thairof, according to the inſtructiones givin, or to be given, to the Commiſſionaris abovenameit, or their quuorums. And for this effect, The Eſtaites Ordeanes,* Johne *Erle of* Lowdonne *Chancellor,* Johne *Lord* Balmerino, *Sir* Archibald Johneſtounne *of* Warieſtounne, *Sir* Charles Erskyne

of

of Cambuskenneth, *and* Hew Kennedy, *repaire with all dilligence to the Kingdome of* England, *to the effect before rehearsit conforme to this Commissione and Instructiones. As also the Estaites Ordeanes ye saides* Archibald *Marqueis of* Argyle, *M.* George Dundas *of* Maner, *and Sir* Johne Smyth *Proveist of* Edenburgh, *to repaire to ye Kingdome of* England, *with all sick conveniencie as the occasione of the businesse shall require, or as they sall be commandit, ather be the Committie from the Parliament heir, they being in* Scotland, *or be the Committie with the Army, they being in* England. *And Ordeanes thame to joyne with the remanent Commissionaris to the effect above mentionat, conforme to the Commissione and Instructiones givin, or to be givin to the Commissionaris or their quuorums thair anent be the Estaites of this Kingdome or Committies yrof, And the Estaites of Parliament, be thir presentis haldis and sall halde firme and stable all and what summe evir thinges the Commissionaris abovanameit, or any thrie or mae of thame sall doe, conforme to this Commissionne, and to the Instructionnes given, or to be given to thame. Extractit furthe of the buikes of Parliament, be me Sir* Alexander Gibsone *of* Duurie, *Knyt, Clerk of His Majesties Registers and Rollis, under my signe and subscriptionne Mannuall,*

Alexander Gibsonne, *Cler. Regist.*

20 *Caroli.*

After the Commissions read, their Commissioners delivered to His Majesties Commissioners this paper

January, 30.

XIII. "WE are directed by Our Instructions, to Treat with your Lordships upon "the propositions concerning Religion, the Militia, and *Ireland*, three "days a piece, (*alternis vicibus*) during the space of twenty days, from the 30th. of "*January*, beginning first with the propositions of Religion, and accordingly we "shall deliver unto your Lordships a paper to morrow morning upon those "propositions.

Accordingly the Treaty did proceed upon those subjects three days a piece, (*Alternis vicibus*) beginning with that of Religion upon *Friday* the last of *January*, and so continuing *Saturday* the first, and *Monday* the third of *February*, which was after resumed, *Tuesday* the 11th. *Wednesday* the 12th. and *Thursday* the 13th. of *February*, and again the two last days of the 20th. And the like course was held touching the Militia and *Ireland*.

But because the passages concerning each subject severally will be more clearly understood, being collected and disposed together under their several heads, therefore all those which concern Religion, the Militia, and *Ireland*, are put together. And in like manner the passages preparatory to the Treaty; concerning the Commissions, the manner of the Treaty, and a seditious Sermon made the first day appointed for the Treaty; and such as hapned in the Treaty touching His Majesties propositions; the demands of farther time to Treat, and other emergent passages which have no relation to those of Religion, the Militia and *Ireland*, are in like manner digested under their several heads, with their particular dates.

And first those which concern the Commissions.

Friday, the last of *January*, His Majesties Commissioners delivered unto their Commissioners this paper:

Ult. January.

XIV. "WE having perused the power granted to your Lordships, in the paper de- "livered by the Earl of *Northumberland*, and finding the same to relate to "Instructions, we desire to see those Instructions, that thereby we may know "what power is granted to you; and we ask this the rather, because by the pow- "ers we have seen, we do not find that your Lordships, in the absence of any one "of your number, have power to Treat.

All their Commissioners were not then come to Uxbridge.

Their

An. 1644.

Their Anſwer.

31. Jan.

XV. "BY our Inſtructions we, or any ten of us, whereof ſome of either Houſe of "the Parliament of *England*, and ſome of the Commiſſioners of the King- "dom of *Scotland*, to be preſent, have power to Treat with your Lordſhips.

Their further Anſwer.

Ult. Jan.

XVI. "WHereas your Lordſhips have expreſſed unto us a deſire of ſeeing our "Inſtructions, to know what power is granted us; and this the ra- "ther becauſe you ſay you find not by what you have ſeen, that in "the abſence of any one of our number, we have power to Treat. To this we "return in anſwer, That ſince the paper already delivered in by us, declaring that "by our Inſtructions any ten of us, whereof ſome of either Houſe of the Parlia- "ment of *England*, and ſome of the Commiſſioners of the Kingdom of *Scotland* to "be preſent, had power to Treat with your Lordſhips, hath not given you ſa- "tisfaction in the particular of the Quorum, We ſhall ſend unto the two Houſes "of Parliament, to have the Quorum inſerted in the Commiſſion, and do expect "the return of it ſo amended, within two or three days, when we ſhall preſent "it unto your Lordſhips. But as for your deſire in general, to ſee our Inſtructi- "ons, it is that for which we have no Warrant, nor is it, as we conceive, at all "neceſſary, or proper for us ſo to do, for that the propoſitions upon which we "now Treat, have been already preſented from the Parliaments of both Kingdoms "unto His Majeſty, and whatſoever is propounded by us in order unto them, is "ſufficiently warranted by what both Parliaments have done in the paſſing and ſend- "ing of thoſe propoſitions, and by the Commiſſions authorizing us to Treat upon "them, already ſhewn unto your Lordſhips, ſo as there can be no need to ſhew "any other power.

Accordingly, on *Saturday* the firſt of *February*, they did deliver their Commiſſion for the *Engliſh* Commiſſioners renewed as followeth.

Die Sabbatis primo Feb.

XVII. 'BE it Ordained by the Lords and Commons aſſembled in Parliament, That *Al-* 'gernon Earl of *Northumberland*, *Philip* Earl of *Pembrook* and *Montgomery*, 'William Earl of *Salisbury*, *Bazil* Earl of *Denbigh*, *Thomas* Lord Viſcount *Wenman*, 'Denzil Hollis, *William Pierrepoint*, Sir *Henry Vane* Junior, *Oliver St. John*, 'Bulſtrode Whitlock, *John Crew*, and *Edmund Prideaux*, ſhall have Power and 'Authority, and are hereby Authorized to joyn with the Commiſſioners of the Par- 'liament of *Scotland*, together with *Alexander Henderſon*, upon the propoſitions 'concerning Religion only, or any ten of them, whereof ſome of either Houſe of 'the Parliament of *England*, and ſome of the Commiſſioners of the Parliament of 'Scotland, are to be preſent, to treat with the Lord Duke of *Richmond*, the Mar- 'queſs of *Hertford*, the Earl of *Southampton*, the Earl of *Kingſton*, the Lord *Dunſ- 'more*, Lord *Capel*, Lord *Seymour*, Sir *Chriſtopher Hatton*, Sir *John Culpeper*, Sir 'Edward Nicholas, Sir *Edward Hyde*, Sir *Richard Lane*, Sir *Orlando Bridgeman*, 'Sir *Thomas Gardiner*, Mr. *John Aſhburnham*, and Mr. *Jeffery Palmer*, or any ten 'of them, upon the propoſitions formerly ſent to His Majeſty (for a ſafe and well- 'grounded peace) from His Majeſties Humble and Loyal Subjects aſſembled in the 'Parliaments of both Kingdoms, together with Doctor *Steward*, upon the propoſi- 'tions concerning Religion only; and upon His Majeſties propoſitions, according 'to ſuch Inſtructions as have been given to them, or as they from time to time ſhall 'receive from both Houſes of Parliament.

John Browne, Cler. Parliam

The ſame laſt of *January*, their Commiſſioners delivered to His Majeſties Commiſſioners this paper.

January,

January, 31.

XVIII. 'HAving conſidered your Commiſſion and power from His Majeſty, given in 'laſt Night by your Lordſhips, we find that you are authorized to treat only 'upon certain propoſitions ſent to His Majeſty from the Lords and Commons of Par- 'liament aſſembled at *Weſtminſter*, and upon His Majeſties Anſwers, Meſſages and 'Propoſitions to them, and their returns to His Majeſty; wherein we obſerve, 'that the propoſitions ſent to His Majeſty, from his Majeſties Loyal Subjects aſ- 'ſembled in the Parliaments of both His Kingdoms, are mentioned to be ſent to His 'Majeſty, from the Lords and Commons of Parliament aſſembled at *Weſtminſter*, 'and upon His Majeſties Anſwers, Meſſages and Propoſitions to them, and their Re- 'turns to His Majeſty, that a Treaty is to begin. And wherein we alſo obſerve, 'you have no power thereby to Treat upon the propoſitions ſent to His Majeſty from 'his Humble and Loyal Subjects, aſſembled in the Parliaments of both Kingdoms, 'and the Anſwers, Meſſages, and Propoſitions, ſent from His Majeſty to the Lords 'and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, and the 'Commiſſioners of the Parliament of *Scotland*, then at *London*, and their returns 'to His Majeſty. We deſire thoſe defects may be cleared and ſpeedily amended.

The King's Commiſſioners Anſwer,

31. January.

XIX. WE conceive our Power being to Treat upon the propoſitions brought by the Earl of *Denbigh*, and others, and thoſe propoſitions being ſent from the Parliaments of both Kingdoms, there need no mention of the Parliaments of both Kingdoms in that place, but that our power is ample to Treat with your Lordſhips upon the whole, both by expreſs words, and by other general words in the Commiſſion, which give power to Treat upon thoſe propoſitions, or any other; which general words are not obſerved by your Lordſhips in your paper: And our power is to Treat with the Lords and others, authorized for the Eſtates of the Parliament of *Scotland* by Name; yet ſince you inſiſt upon it, it ſhall be altered by *Tueſday* next. And in the mean time (if your Lordſhips pleaſe) we deſire * the papers promiſed yeſterday, in the paper delivered by the Earl of *Northumberland*, may be delivered unto us, that there may be as little loſs of time as may be.

* *The Papers intended are the Propoſitions concerned Religion, which were not then delivered.*

Their Reply.

31. Jan.

XX. 'IN anſwer to your Lordſhips paper, concerning your power to Treat, we are 'content to proceed in the Treaty with your Lordſhips, in expectation that 'the Defects mentioned by us in our paper, ſhall be ſupplied by *Tueſday* next.

On *Monday* the third of *February*, the Kings Commiſſioners did deliver their Commiſſion renewed, as followeth.

CHARLES R.

XXI. WHereas certain propoſitions were ſent unto us from the Lords and Commons Aſſembled in the Parliament of *England* at *Weſtminſter*, and from the Commiſſioners of the Parliament of *Scotland*, which were brought unto us at *Oxford*, in *November* laſt, by the Earl of *Denbigh*, and others, and upon our Anſwers, *&c.* as followeth *verbatim*, in His Majeſties former Commiſſion.

Touching the manner of the Treaty.

The KING's Commiſſioners Paper.

31. Jan.

XXII. WE deſire, to the end there may be a greater freedom in debate (which we conceive will much conduce to the happy concluſion of this Treaty) that nothing may be underſtood to be concluded on either ſide, but what is delivered

An. 1644. vered in writing, according as your Lordſhips have begun. And we declare, That what ſhall be delivered in writing upon any propoſition, is not to be binding or prejudicial to either party, if the Treaty break off upon any other propoſition, or part of any other propoſition.

Their Anſwer.

31. *January.*

XXIII. WE *ſhall deliver our Demands and Anſwers in writing, and deſire your Lordſhips to do the like.*

The Kings Commiſſioners Reply

1. *February.*

XXIV. WE deſire a full Anſwer of our paper, that nothing ſhall be taken as agreed upon, but what is put in writing, and your Concurrence in declaring that what ſhall be delivered in writing upon any propoſition, or upon part of a propoſition, ſhall not be binding or prejudicial to either party, if the Treaty break off.

Their further Anſwer.

1. *February.*

XXV. *According to our former Paper, we ſhall deliver our demands and anſwers in writing, and we deſire your Lordſhips to do the like, and nothing ſhall be taken as agreed upon, but what is put in writing. And we ſhall acquaint the Houſes of Parliament, that you have declared what ſhall be delivered in Writing upon any Propoſition, or upon any part of a Propoſition, is not to be binding or prejudicial to either Party, if the Treaty break off.*

3. *February.*

XXVI. *IN anſwer to your Lordſhips Paper formerly delivered, we do declare, that what ſhall be delivered in writing upon any Propoſition, or upon any part of a Propoſition, is not to be binding or prejudicial to either party, if the Treaty break off upon any other Propoſitions, or part of any Propoſition.*

Touching the Seditious Sermon.

The King's Commiſſioners Paper,

31 *January.*

XXVII. *It was on Thurſday, being Market day, and the firſt day of the Meeting.* WEE have certain Information from divers perſons preſent in *Uxbridge* Church yeſterday, that there was then a Sermon preached by one Mr. *Love*, in which were many paſſages very Scandalous to his Majeſties perſon, and derogatory to his Honour, ſtirring up the people againſt this Treaty, and incenſing them againſt Us, telling them, *That we come with hearts full of Blood, and that there is as great diſtance between this Treaty and Peace, as between Heaven and Hell*, or words to that effect; with divers other ſeditious paſſages, both againſt His Majeſty and this Treaty. We know his Majeſties hearty deſire of a happy and well grounded peace, ſuch as may be for Gods Honour, and the good of all His Subjects as well as himſelf; And we that are entruſted by His Commiſſion, come with clear Intentions to ſerve Him in it, according to our Conſciences, and the beſt of our Judgments. And this being Preached in your Quarters, where we are now under ſafe conduct; We deſire your Lordſhips to conſider, how much this may reflect upon our Safety, how much it may prejudice and blaſt the bleſſed hopes of this Treaty, and how juſt offence and diſtruſt it may beget in His Majeſty: And therefore We deſire Juſtice againſt the Man, that he may have exemplary puniſhment. Their

20 *Caroli.*

Their Anſwer.

31. *January.*

XXVIII. "TO the paper delivered in by your Lordſhips this day, concerning the Information received of ſeveral Scandalous paſſages preached in a Sermon in *Uxbridge* Church, by one Mr. *Love*, We do return this Anſwer, That the ſaid Mr. *Love*, is none of our Retinue nor came hither by any privity of ours; That we conceive it moſt reaſonable, and agreeable to the buſineſs we are now upon, that all juſt occaſions of offence on either part be avoided; And as it hath been our deſire, ſo it ſhall be our endeavour, to take the beſt care we can, to prevent all prejudices upon the preſent Treaty which may blaſt the bleſſed hopes thereof, or may beget any juſt offence and diſtruſt in His Majeſty, and ſhall be as tender of the ſafety of your Lordſhips perſons, according to the ſafe conduct as of our own. We ſhall repreſent your Lordſhips paper concerning this buſineſs (if your Lordſhips ſo deſire) unto the Lords and Commons aſſembled in the Parliament of *England*, who will proceed therein, according to Juſtice.

The King's Commiſſioners Reply.

1. *February.*

XXIX. WE inſiſt upon our former deſire concerning the Sermon preached by Mr. *Love*, and muſt refer the way of doing Juſtice to your Lordſhips; and if your Lordſhips are not ſatisfied that ſuch Words as we have charged him with were ſpoken by him, we are ready to produce our proof thereof to your Lordſhips.

Their further Anſwer.

1. *February.*

XXX. *WE will repreſent both your Lordſhips papers concerning Mr.* Love *unto the Lords and Commons aſſembled in the Parliament of* England *at* Weſtminſter, *who will proceed therein according to Juſtice.*

In the next place according to the Order before mentioned, do follow the paſſages and papers concerning RELIGION.

Their Paper.

31. *Jan.*

XXXI. "ACcording to the * Paper delivered by us to your Lordſhips yeſternight, we do now offer theſe propoſitions following which concern *Religion*.

"That the Bill be paſſed for Aboliſhing and taking away of all Arch-Biſhops, Biſhops, *&c.* according to the third propoſition.

"That the Ordinances, concerning the Calling and Sitting of the Aſſembly of Divines, be confirmed by Act of Parliament.

"That the Directory for publick Worſhip, already paſſed both Houſes of the Parliament of *England*; and the propoſitions concerning Church Government, hereunto annexed and paſſed both Houſes, be enacted as a part of Reformation of Religion, and Uniformity, according to the fifth propoſition.

"That His Majeſty take the Solemn League and Covenant; and that the Covenant be enjoyned to be taken according to the ſecond propoſition.

* *The Paper intended, is that before of* 30. Jan. *The Propoſitions here intended, are thoſe before mentioned on their part, ſent by the Earl of* Denbigh, *and others to* Oxford. *And the Bill for aboliſhing* Epiſcopacy, *is in the Appendix.*

An. 1644.

To this was annexed the following Paper of the 31. January.

" That the Ordinary way of dividing Chriſtians into diſtinct Congregations, " and moſt expedient for Edification, is by the reſpective bounds of their " dwellings.

" That the Miniſter, and other Church Officers in each particular Congregation, " ſhall joyn in the Government of the Church, in ſuch manner as ſhall be eſta- " bliſhed by Parliament.

" That many particular Congregations ſhall be under one Presbyterial Govern- " ment.

" That the Church be Governed by Congregational, Claſſical, and Synodical " Aſſemblies, in ſuch manner as ſhall be eſtabliſhed by Parliament.

" That Synodical Aſſemblies, ſhall conſiſt both of provincial and national " Aſſemblies.

The King's Commiſſioners Paper, 1. February.

XXXII. HAving conſidered your Lordſhips Paper, containing the propoſitions concerning *Religion*, with the paper annexed, and finding the ſame to contain abſolute Alterations in the Government both of Eccleſiaſtical and Civil State; We deſire to know, whether your Lordſhips have power to Treat and debate upon the ſaid propoſitions, and upon debate to recede from, or conſent to any alterations in the ſaid propoſitions, if we ſhall make it appear to be reaſonable ſo to do, or whether your Lordſhips are bound up, by your Inſtructions, to inſiſt upon the propoſitions without any alteration.

Their Anſwer, 1. Feb.

XXXIII. " OUR Paper given in to your Lordſhips, concerning *Religion*, doth contain " no alterations, but ſuch as are uſual in a time of Reformation, and by the " Wiſdom of the Parliaments of both Kingdoms are judged neceſſary at this time, " for ſettling Religion and Peace. And as by our Commiſſions and Papers, for- " merly ſhewed your Lordſhips, we have made known our power to Treat " upon them; ſo are we ready, by debate, to ſhew how reaſonable they are: " And that there will be no reaſon to expect that we ſhould alter or recede from " them. But as for your demand of our ſhewing what farther power we have by " our Inſtructions, It is, that we have no warrant to do, as we have already ſig- " nified to your Lordſhips by a former Paper.

The King's Commiſſioners Paper, 1. Feb.

XXXIV. YOur Lordſhips firſt propoſition in the Paper concerning Religion, referring to the third propoſition ſent to His Majeſty, we find that refers to the Articles of the late Treaty of the date at *Edinburgh*, 29. *Nov.* 1643. and to the joynt Declaration of both Kingdoms. We deſire your Lordſhips we may ſee thoſe Articles and Declarations, and your Lordſhips ſecond propoſition in that Paper, referring to the Ordinances concerning the calling and ſitting of the Aſſembly of Divines; We deſire to ſee thoſe Ordinances.

Their Anſwer, 1. Feb.

XXXV. " ACcording to your Lordſhips deſire in * third paper, We now deliver in " the Articles of the late Treaty of the date at *Edinburgh* 29 of *No-* " *vember* 1643. and the * joynt Declaration of both Kingdoms; And we ſhall " ſpeedily deliver to your Lordſhips the Ordinances, concerning the calling and " ſitting of the Aſſembly of Divines.

* *Meaning the next preſent Paper.*

* *This joynt Declaration is already printed. But the Articles being not printed are in the Appendix.*

The KING's Commiſſioners paper 1. *Feb.*

XXXVI. WE deſire to know whether the propoſitions, which we have received from your Lordſhips touching *Religion*, be all we are to expect from you upon that Subject.

Their

20 *Caroli.*

Their Anſwer, 1. *Feb.*

XXXVII.

THere are other things touching Religion to be propounded by us unto your Lordſhips, upon the propoſitions formerly ſent unto His Majeſty from the Parliaments of both Kingdoms, which we ſhall in due time give in unto your Lordſhips; but we do firſt deſire your Anſwer to the paper touching Religion, given in yeſterday, that ſome good progreſs may be made therein before the three days, aſſigned to treat upon Religion in the firſt place, do expire.

The KING's Commiſſioners paper, 1. Feb.

XXXVIII.

WE deſire to know whether the Propoſitions we formerly received from your Lordſhips concerning Religion, were all that would be offered concerning that Subject, becauſe we thought it very neceſſary (ſince ſo great alterations are propoſed by you) to have a full view of the whole alterations that are deſired, ſince in an argument of the greateſt weight, and higheſt importance, we cannot poſſibly give a preſent Judgment of any part, till we have a proſpect of the whole: But ſince your Lordſhips do not yet think it time to let us have a ſight of the reſt, but firſt deſire our anſwer to the * paper delivered yeſterday, which contains many particulars, of which we never heard before, we ſhall apply our ſelves to underſtand the things propoſed by you, in ſuch manner as we may return your Lordſhips a ſpeedy anſwer; and to that purpoſe muſt deſire your Lordſhips information in ſome particulars, which are compriſed in your Lordſhips paper. And when your Lordſhips conſider that the * Directory for Worſhip (being ſo long) was delivered to us but yeſterday; That the Covenant, the Articles of the Treaty of *Edinburgh*, the Declaration of both Kingdoms (which are comprehended within the firſt Propoſition) were delivered to us but this day, and therefore we could return no anſwer concerning the Bill for aboliſhing Archbiſhops, and Biſhops, (which is propoſed to be paſſed) according to the third propoſition, in which the ſaid Articles and Declarations are comprehended, and that the Ordinances for the ſitting of the Aſſembly are not yet delivered unto us. We are confident your Lordſhips will not think us negligent in making as good a progreſs in the Treaty upon *Religion*, as is in our power, which we ſhall indeavour to advance with all diligence, and the beſt of our underſtanding.

See before No. 31.

* *The Directory which was delivered in, is of great length, and the Covenant delivered with it, both now printed and obvious, are therefore forborn to be inſerted here, or in the Appendix.*

Afterwards, the ſame firſt of *February*, the * Ordinances for the Aſſembly of Divines were delivered in.

* *See them in the Appendix.*

After ſome debate touching the Nature of the Church Government, intended by the paper annexed to the firſt paper upon the ſubject of *Religion*, which are here before ſet down. The Kings Commiſſioners delivered in this following Paper.

1. *Feb.*

XXXIX.

THE Information we deſire from your Lordſhips for the preſent, is, Whether, by the words in the firſt of thoſe Propoſitions in your Lordſhips paper annexed (*the reſpective bounds of their dwellings*) you intend the ſeveral bounds of their Dwelling-Houſes, or the bounds of Pariſhes; or whether you intend an alteration of the bounds of Pariſhes?

In the ſecond Propoſition, what other Church-Officers your Lordſhips intend ſhall joyn with the Miniſters in the Government of the Church; and what Juriſdiction they ſhall exerciſe in order to that Government, and from whom they ſhall derive it, and in what degree be ſubordinate to the power from whom they derive it; and what you intend by *Presbyterial Government*, in your third Propoſition.

In the fourth Propoſition, what your Lordſhips intend by *Congregational, Claſſical*, and *Synodical Aſſemblies*.

How Synodical Aſſemblies, Provincial and National, ſhall be conſtituted as to perſons and cauſes; and what ſhall be the bounds and limits of their Juriſdiction; and from whom the ſeveral Juriſdictions, above-mentioned, ſhall be derived.

To theſe particulars we would be glad (if your Lordſhips think it fit) to receive ſatisfaction by debate, where Queſtions may be asked and Replies made, before any anſwer be returned in Writing, which may ask much time, and be leſs ſatisfactory, but we refer the way to your Lordſhips.

An. 1644.

Their Anſwer, 1. Feb.

XL. 'WE cannot but be ſenſible of the great loſs of time, occaſioned by your Lordſhips Queſtions for Information in your laſt paper, and ſhall have ſmall 'hopes of good ſucceſs in this Treaty, having theſe two days made ſo little progreſs, 'unleſs your Lordſhips be pleaſed to give us full anſwers to our demands concerning Religion; yet to give all ſatisfaction, with as little expence of time as may 'be, we are ready by preſent conference, to clear the Queſtions in your paper.

The Kings Commiſſioners Reply in two ſeveral papers, next following, 2. Feb.

XLI. WE conceive there was no cauſe your Lordſhips ſhould apprehend any loſs of time, occaſioned by our Queſtions, for that your Propoſitions concerning Religion were not delivered to us till *Friday* laſt: And the Directory, when delivered with them, ſo long, that the reading of it ſpent the reſidue of that day; and divers other papers to which the propoſitions referred, and without which we could not conſider them, were not delivered us before yeſterday, and ſome of them not till after the paper which imputes a delay to us; and your Lordſhips, having propounded only general heads of a Presbyterial Government, without any particular Model of it, which in ſeveral Reformed Churches (as we are informed) is various both in Names and Powers, it was neceſſary to underſtand the particular expreſſions in your paper, the alteration deſired being ſo great, and being propoſed to be Enacted, which will require His Majeſties conſent, whom we ought to ſatisfie; having ſo great a Truſt repoſed in us. And we deſire your Lordſhips to conſider, how impoſſible it hath been for us to give your Lordſhips, in leſs than two days, a full anſwer (which in your laſt paper you require) to what you propoſe, which is in effect to Conſent to the utter aboliſhing of that Government, Diſcipline, and publick Form of the Worſhip of God, which hath been practiſed and eſtabliſhed by Law here, ever ſince the Reformation; and which we well underſtand, and the alteration of which, in the manner propoſed, takes away many things in the Civil-Government, and provides no remedy for the inconveniences which may happen thereby; and to conſent to the Alienation of the Lands of the Church, by which (for ought appears) beſides infinite other conſiderations, ſo many perſons may be put to beg their Bread, to oblige His Majeſty and all His Subjects to the taking a new Oath or Covenant, and to receive and conſent to a new Government; we do not, nor without information cannot underſtand. And which (in truth) appears to us, by your Lordſhips Propoſitions, not to be yet agreed upon in the particulars. And your Lordſhips having declared to us, that you have other things to propoſe to us concerning Religion, which you do not yet think it fit time to acquaint us withal: Notwithſtanding all which difficulties, we ſhall proceed with all poſſible expedition, and deſire your Lordſhips will not object delays to us, till we give you juſt occaſion.

February 2.

XLII. THat we may make a right uſe of the Information your Lordſhips were pleaſed yeſterday to afford us, in debate upon the Queſtions propoſed by us concerning the Propoſitions in your Lordſhips paper annexed, for the future Government of the Church, and ſo have ſome underſtanding of that Government, intended by your Lordſhips, in place of that you propoſe to be aboliſhed, we deſire to receive your Lordſhips anſwer in Writing, whether theſe ſhort Collections upon the debate yeſterday, be the Sum of your Lordſhips Reſolutions or Informations upon the Queſtions formerly propoſed by us.

We conceive that the Information given to us in debate by your Lordſhips to the Queſtions we propoſed to you in Writing was,

1. That the Congregational Aſſemblies conſiſt of the Miniſters and Ruling Elders.

2. That the Claſſical Aſſemblies conſiſt of many Congregational Aſſemblies.

3. That the Provincial Aſſemblies are conſtituted of the ſeveral Claſſical Aſſemblies.

4. That all theſe Congregational, Claſſical and Provincial Aſſemblies, together, conſtitute a National Aſſembly.

5. That

5. That the Authority and Juriſdiction of the ſeveral Aſſemblies ſhall be ſettled by Parliament. 20 *Caroli.*

And if your Lordſhips have any thing elſe to inform us concerning this Government, we deſire to receive the ſame from your Lordſhips.

The King's Commiſſioners paper, 3. February.

XLIII. WE are ready, by preſent Conference, to enter upon conſideration of your Lordſhips firſt Propoſition concerning *Religion*, and ſhall deſire to receive or give ſatisfaction, whereby we may be of one mind in that Argument. And for the better entering into this debate, we deſire to know whether in reſpect of alteration mentioned in the third Propoſition, to be made in the Bill for aboliſhing *Epiſcopacy*, you would have this individual Bill paſs or not?

Their Anſwer, 3. Feb.

XLIV. 'WE deſire the Bill for the utter aboliſhing of *Epiſcopacy*, which now remains with His Majeſty may be paſſed without prejudice to us, to inſiſt upon the * Alterations mentioned in the third Propoſition; and we are ready to give your Lordſhips a preſent Conference upon the firſt Propoſition concerning *Religion*, according to your deſire.

* *The Alterations intended here, and in the third Propoſition, are according to the Articles of the Treaty at* Edenborough, *(which ſee in the Appendix,) and the joynt Declaration of both Kingdoms, which are,* That whereas by the Bill, the Biſhops Lands are mentioned to be given to the King, and other Church Lands for other Uſes, by thoſe Articles and Declarations they may be taken away, and imployed to payment and recompence of the *Scots*, and for paying the publick Debts, and repairing of particular Loſſes.

After a Conference, wherein much time was ſpent in debate, concerning that individual Bill which was preſented for aboliſhing *Epiſcopacy*, the Parliament's Commiſſioners delivered this Paper:

3. *Feb.*

XLV. 'WE deſire your Lordſhips anſwer to our demands upon the Propoſitions for *Religion*, and in the firſt place to the Bill for aboliſhing of *Epiſcopacy*, which hath been ſo much debated, that upon the expiring of the firſt three days, appointed to Treat concerning *Religion*, we may be able to return ſuch an account to the Parliaments of both Kingdoms, as may give them hopes of a happy progreſs in this Treaty.

The King's Commiſſioners Anſwer, 3. Feb.

XLVI. WE conceive we have offered ſo weighty doubts and conſiderations to your Lordſhips, in this days debate, concerning ſeveral parts in the Bill for aboliſhing of *Epiſcopacy*, (for your Lordſhips have confined and limited our debate to that individual Bill, as it is now penn'd, not to the conſideration of aboliſhing *Epiſcopacy* in general) that your Lordſhips cannot expect a poſitive anſwer from us now (being after Eleven a Clock at Night) touching that Bill; but we ſhall be ready by the next day aſſigned for the Treaty upon this Argument, to deliver our Opinions to your Lordſhips; the which we ſhall be then the better able to do, when we have found by the progreſs in our other debates, how far a bleſſed and a happy Peace is like to be advanced, by our endeavouring to give your Lordſhips ſatisfaction in this particular.

This being the laſt of the three firſt days aſſigned for the Treaty upon *Religion*, that ſubject was again taken up the 11th. of *Feb.* being the firſt of the ſecond three days appointed for *Religion*.

And the Parliament's Commiſſioners delivered this Paper, 11. Feb.

XLVII. 'HAving received no ſatisfaction in the firſt three days appointed to Treat upon the Propoſitions for *Religion*, we do now deſire your Lordſhips clear and full anſwer to our former demand on this ſubject, that no farther time may be

'loſt

An. 1644. ‘ loſt in a matter which doth ſo much concern the Glory of God, the Honour of ‘ the King, and the Peace and Happineſs of His Kingdoms.

The King's Commiſſioners Anſwer, 11. Feb.

XLVIII. WE gave your Lordſhips as much ſatisfaction in the firſt three days appointed to Treat upon the Propoſitions for *Religion*, as in ſo ſhort a time, and upon ſo little Information from your Lordſhips, could reaſonably be expected, in a matter of ſo great and high importance; and as we have given your Lordſhips already * many reaſons concerning the Injuſtice and Inconveniency which would follow upon paſſing the Bill for aboliſhing *Epiſcopacy*, according to your firſt Propoſition, ſo we are now ready, by Conference, to ſatisfie your Lordſhips, why we conceive, that the ſaid Bill is not for the Glory of God, or the Honour of the King, and conſequently cannot be for the peace and happineſs of his Kingdoms; and if your Lordſhips reaſons ſhall convince us in thoſe particulars, we ſhall willingly conſent to what you deſire: if otherwiſe, we ſhall offer to your Lordſhips our Conſent to ſuch other alterations, as we conceive may better contribute to the Reformation intended, and ſuch as may ſtand with the Glory of God; and, in truth, be for the honour of the King, and the peace and happineſs of his Kingdoms.

* *That was by Conference.*

Their Reply, 11. Feb.

XLIX. ‘ WE have received no ſatisfaction from your Lordſhips, concerning the Propoſitions delivered in by us for Religion, in the Name of the Parliaments ‘ of both Kingdoms, nor have you made appear unto us, any injuſtice or ‘ inconveniency in the paſſing of the Bill for aboliſhing of *Epiſcopacy*. And as it ‘ cannot be denied, but the ſettling of *Religion* is a matter which doth highly concern the Glory of God, the Honour of the King, and the Peace and Happineſs of ‘ his Kingdoms, ſo do we deſire your Lordſhips will grant thoſe demands which ‘ have been made unto you by us to that end; and we are ready by preſent Conference, to receive what your Lordſhips will offer upon any of thoſe Propoſi‘ tions, and to return that which may give your Lordſhips juſt ſatisfaction.

The King's Commiſſioners Anſwer, 11. Feb.

L. YOur Lordſhips having expreſſed in your paper of the firſt of *February*, that there are other things touching Religion to be propounded by your Lordſhips to us, we preſume that by this time you may be enabled by your Inſtructions to propoſe the ſame; and therefore we deſire to receive them from your Lordſhips, which we hope your Lordſhips will think very reaſonable, when you conſider how incongruous a thing it will appear to moſt men, to conſent to real and ſubſtantial alterations in the matter of Religion, without having a view of the whole alterations intended, when at the ſame time there is mention of other alterations.

Their Anſwer thereunto, 11. *Feb.*

LI. *WE ſhall deliver in very ſpeedily, that which remains with us touching* Religion, *to be propounded unto your Lordſhips, but we do deſire (as before) your Lordſhips Anſwers unto our Demands, in the ſame order that we have propoſed them, not conceiving it reaſonable there ſhould be any time ſpent in debates, or anſwers upon what we ſhall hereafter offer, till we have received ſatisfaction in our former Propoſitions, which we deſire may be ſpeedily done, leſt otherwiſe the Treaty be retarded, and the expectation of both Kingdoms altogether fruſtrated.*

Notwithſtanding this, they delivered in this further Anſwer, 11. Feb.

LII. ‘ IN anſwer to your Lordſhips Paper this day delivered to us, we deſire that His Majeſty do give his Royal Aſſent to an Act of Parliament for the due obſer‘ vation of the Lords Day, and to the Bill for ſuppreſſing of Innovations in Churches ‘ and Chappels, in and about the Worſhip of God, *&c.* And for the better advance‘ ment of the Preaching of Gods Holy Word, in all parts of this Kingdom; And to ‘ the Bill againſt enjoying of Pluralities of Benefices by Spiritual Perſons, and Non‘ Reſidency. And we ſhall in due time, give in to your Lordſhips our Demands ‘ concerning Papiſts, contained in the ſixth, ſeventh, eighth, ninth, and tenth ‘ Propoſitions;

See No. 59.

20 Caroli.

'Propoſitions; And for His Majeſties Aſſenting to an Act to be framed and agreed 'upon in both Houſes of Parliament, for the regulating and reforming of both 'Univerſities, of the Colledges of *Weſtminſter*, *Wincheſter* and *Eaton*; and for 'the Education and Marriage of His Majeſties Children, and the Children of His 'Heirs and Succeſſors in the true Proteſtant Religion, as is in the 21th. Propo-'ſition.

Some part of the 11th. and the moſt part of the 12th. of *February*, was ſpent in Argument by Divines touching *Epiſcopacy*, and the *Presbyterial Government*. Afterwards their Commiſſioners gave in this Paper.

12. *February.*

LIII. *THere having now been ſeveral dayes ſpent in debate upon the propoſitions for* Religion; *and all objections alledged to the contrary, either from Conſcience, Law, or Reaſon, being fully Anſwered; and the time allotted for that ſo important a part of the Treaty almoſt elapſed, we ſhould be wanting to the Truſt repoſed in us, if we ſhould not preſs and expect (as we now do) a clear and poſitive Anſwer to thoſe Demands concerning Religion, which we have offered unto your Lordſhips from the Parliaments of both Kingdoms, as moſt neceſſary for the ſettling of a ſafe and well-grounded Peace, in all His Majeſties Dominions.*

The King's Commiſſioners Anſwer, 12. *February.*

LIV. WE deny, that the objections alledged by us againſt the paſſing the Bill for aboliſhing *Epiſcopacy*, from Conſcience, Law, or Reaſon, have been fully Anſwered by your Lordſhips; Or that, indeed, we have received any ſatisfaction from your Lordſhips in theſe particulars. We have received no Information from your Lordſhips to ſatisfie us, That *Epiſcopacy* is, or hath been, an impediment to a perfect Reformation, to the * growth of Religion; or that it is prejudicial to the Civil State, which we have often deſired from your Lordſhips, without effect, and which are the Grounds upon which your Lordſhips propoſe the aboliſhing *Epiſcopacy*, and we ſhall be very willing, and are deſirous to receive your Lordſhips reaſons in theſe particulars. And how ſhort ſoever the time alotted is for the Treaty (for which we cannot be anſwerable, being not bound up in point of time by His Majeſty as your Lordſhips ſay you are by your Inſtructions; And we ſhould be glad that the ſame might be enlarged proportionably to the importance of the things to be Treated on) we ſhould be wanting to the great Truſt repoſed in us, if we ſhould conſent to thoſe Demands, as they are propoſed to us by your Lordſhips, otherwiſe then as they are agreeable to our Conſciences and Underſtandings; And ſuch an Anſwer your Lordſhips ſhall receive from us, to your Demands concerning *Religion*, upon which we hope a ſafe and well-grounded Peace, by the bleſſing of God, may be eſtabliſhed.

* *Theſe words are in the Preamble of the Bill, preſented by them, for aboliſhing* Epiſcopacy.

Their paper, 13. *Feb.*

LV. *WE did aſſure our ſelves, That after ſo many days debate concerning* Religion, *and our removal of what ever objections have been offered by your Lordſhips, and our making it appear how great a hindrance Epiſcopal Government is, and hath been to a perfect Reformation, to the growth of Religion, and prejudicial to the Civil State; That your Lordſhips would have been ready to have anſwered our expectation with the Grant of our demands; but if ſtill your Lordſhips remain unſatisfied, we conceive it cannot, with any Juſtice, be imputed unto us, and therefore we again deſire your Lordſhips full and clear anſwer to what we have delivered unto you concerning* Religion.

Upon this laſt paper, and after the ſeveral debates between the Commiſſioners, and Arguments by the Divines, and conſideration had of all that had been delivered concerning *Religion*, His Majeſties Commiſſioners gave in theſe papers four following.

13. *Feb.*

A. 1644

LVI.

13. *Feb.*

WE are not yet ſatisfied, that the Bill inſiſted on by your Lordſhips, which remains in his Majeſties hands for the utter aboliſhing of *Arch-Biſhops*, *Biſhops*, *Deans*, and *Chapters*, &c. ought to be enacted, believing it not to be agreeable to Conſcience and Juſtice, to alienate the Lands therein mentioned to Lay-uſes; and not underſtanding that the alienation thereof is neceſſary at all to the Reformation of *Religion*: Beſides, that there is no certain proviſion made for any of thoſe who are now legally veſted in thoſe poſſeſſions, whereby they and their Families ſhall be in evident danger of want of bread: and it appearing by your Lordſhips propoſitions, which relate to the Articles of the late Treaty, of the date at *Edinburgh* 29. of *November*, 1643. and the joynt Declaration of both Kingdoms, to which you require our Aſſent, as well as to the Bill, that part of the Church-land may be, after the paſſing this Bill, aſſigned to other uſes than is expreſt in the ſaid Bill. Upon theſe conſiderations, and upon your debate which hath paſſed between us upon this Bill, whereby it hath appeared, that there would be ſo great an Alteration in the Civil State, by this Bill being enacted, in the failer of Juſtice at the Common-Law, and otherwiſe in many ſeveral particulars, of great importance to the Subjects of this Kingdom, which for ought appears to us, is not yet provided for. And that by a particular * Clauſe in the Bill, His Majeſties ancient and undoubted Power of the *Eccleſiaſtical Juriſdiction* is wholly taken away. Beſides, it may be very conſiderable what inconveniences would enſue by the paſſing this Bill now, which looks back, and is to begin from *November* was Twelve-month, whereby all thoſe Acts of Juriſdiction, exerciſed by Biſhops ſince that time, are already void, which would produce great inconveniences and miſchiefs touching the Probates of Wills, and Adminiſtrations throughout the Kingdom; not to ſpeak of the doubts which may ariſe in many conſcientious men, who have been Ordained by Biſhops ſince that time; which may ſeem to be likewiſe declared void by this Bill; and ſo at leaſt to diſcountenance all Acts which have enſued by vertue of that Ordination; and thereby many Queſtions may ariſe in Law concerning Marriages, Legitimations and Deſcents of Inheritance, and for many other reaſons expreſt in our Conference and Debate, we conceive that your Lordſhips may be ſatisfied, that this individual Bill ought not to paſs.

See before in the Margin to the Paper.

* *See that Clauſe in the Bill in the Appendix.*

For the matter then of the ſaid Bill, The extirpation of Epiſcopacy, we deſire your Lordſhips to conſider, That it is evident, and we conceive conſented to on all parts, That it hath continued even from the Apoſtles times by continual Succeſſion in the Church of Chriſt, till within theſe few years, without intermiſſion, or interruption; and then how perilous a thing it muſt be, and prejudicial to the Publique Peace, to remove and deſtroy a Form of Government, ſo long exerciſed in this Kingdom, and under which we have enjoyed as great a meaſure of happineſs (to ſay no more) as any Nation in Chriſtendom, and which your Lordſhips have not pretended to be unlawful, before we particularly ſee the Model of that Government and Juriſdiction which is to be eſtabliſhed in the place thereof; That thereby we may be aſſured that it be ſuch, to which as well thoſe who like, as all thoſe who diſlike the preſent Government, will ſubmit: Otherwiſe Peace, which is the main end and pretence for Alterations, cannot be eſtabliſhed: and therefore we very earneſtly beſeech your Lordſhips to conſider and weigh, whether without ſhaking Foundations, it be not much better, and more agreeable to Chriſtian Prudence and Charity, to remove thoſe Particulars from the preſent Government, or make ſuch alterations therein, as may moſt probably give ſatisfaction to all Perſons ſeriouſly diſturbed or afflicted in their Conſciences; Then by deſtroying the whole, to give juſt offence and ſcandal to very many Pious and Religious Perſons.

Under theſe Conſiderations, and for the Uniting and Reconciling all Differences between Us in the matter of *Religion*, and procuring a Bleſſed Peace, We are willing,

That Freedom be left to all Perſons, of what Opinions ſoever, in matters of Ceremony, and that all the Penalties of the Laws and Cuſtoms, which enjoyn thoſe Ceremonies, be ſuſpended.

That

20 *Caroli.*

That the Biſhop ſhall exerciſe no Act of Juriſdiction or Ordination, without the conſent and counſel of the Presbyters, who ſhall be choſen by the Clergy of each Dioceſs, out of the Learned'ſt and Graveſt Miniſters of that Dioceſs.

That the Biſhop keep his conſtant Reſidence in his Dioceſs, except when he ſhall be required by His Majeſty to attend Him on any occaſion, and that (if he be not hindred by the Infirmities of Old Age, or Sickneſs) he Preach every *Sunday* in ſome Church within his Dioceſs.

That the Ordination of Miniſters ſhall be alwayes in a Publique and Solemn manner, and very ſtrict Rules obſerved concerning the Sufficiency, and other Qualifications of thoſe men, who ſhall be received into Holy Orders; and the Biſhop ſhall not receive any into Holy Orders, without the approbation and conſent of the Presbyters, or the Major part of them.

That competent Maintenance and Proviſion be eſtabliſhed by Act of Parliament to ſuch Vicarages as belong to *Biſhops*, *Deans*, and *Chapters*, out of the *Impropriations*, and according to the value of thoſe *Impropriations*, of the ſeveral Pariſhes.

That for the time to come, no man ſhall be capable of two Parſonages or Vicarages, with Cure of Souls.

That towards the ſetling of the Publique Peace, One hundred Thouſand Pounds ſhall be raiſed by Act of Parliament out of the Eſtates of *Biſhops*, *Deans*, and *Chapters*, in ſuch manner as ſhall be thought fit by the King and Two Houſes of Parliament, without the Alienation of any of the ſaid Lands.

That the Juriſdiction in Cauſes Teſtamentary, Decimal, Matrimonial, be ſetled in ſuch manner, as ſhall ſeem moſt convenient by the King and Two Houſes of Parliament.

And likewiſe that one, or more Acts of Parliament be paſſed for Regulating of Viſitations, and againſt immoderate Fees in Eccleſiaſtical Courts, and the abuſes by frivolous Excommunications, and all other abuſes in the Exerciſe of Eccleſiaſtical Juriſdiction, in ſuch manner as ſhall be agreed upon by His Majeſty and both Houſes of Parliament.

And if your Lordſhips ſhall inſiſt upon any other thing, which your Lordſhips ſhall think neceſſary for Reformation, We ſhall very willingly apply our ſelves to the conſideration thereof.

13. *February.*

LVII. FOr the Confirmation of the Ordinances concerning the Calling and Sitting of the Aſſembly of Divines, and the taking the Covenant, We conceive neither of them need be inſiſted on, if the alterations of Church-Government be agreed upon between Us: And if it be not, it will not be reaſonable that We conſent to thoſe Ordinances. And for the *Covenant*, We cannot Adviſe His Majeſty to Swear and Sign the ſame, nor conſent that an Act of Parliament ſhould paſs for enjoyning the taking thereof by His Majeſties Subjects.

13. *February.*

LVIII. WEE do not yet conceive, that the *Directory* for Publick Worſhip, delivered to Us by your Lordſhips, ought to be Enacted, Or that it is ſo likely to procure and preſerve the Peace of this Kingdom, as the *Liturgy* or Common-Prayer-Book already eſtabliſhed by Law, againſt which we have not yet received from your Lordſhips any Objections; which Liturgy (as the ſame was compiled by many Learned and Reverend Divines, of whom ſome dyed Martyrs for the Proteſtant Religion) We conceive to be an Excellent Form for the Worſhip of God, and hath been generally ſo held throughout this Kingdom, till within theſe two, or three Years at the moſt; And therefore ſince there are no inconveniences pretended to ariſe from the Book of Common-Prayer, to which we

An. 1644. conceive the Directory is not more liable, and ſince there is nothing commendable in the Directory, which is not already in the Book of Common-Prayer, we conceive it much better, and more conducing to the Peace of this Kingdom, ſtill to obſerve the ſaid Form, with ſuch Diſpenſations as we have expreſſed in our firſt Paper now preſented to your Lordſhips; and if there ſhall be any Alterations propoſed by your Lordſhips, of ſuch particulars in the Book of Common-Prayer, as good men are ſcrupled at, we ſhall willingly endeavour to give your Lordſhips ſatisfaction in thoſe particulars, But as yet can make no further, or other Anſwer, than we have already done; But ſhall be ready to receive ſuch Objections as your Lordſhips ſhall think fit to make againſt the Book of Common Prayer, and your Reaſons for introducing the Directory. And for the Propoſition concerning Church-Government, annexed to your firſt Paper; We have no Information how that Government ſhall be conſtituted in particular, or what Juriſdiction ſhall be eſtabliſhed, or by whom it ſhall be granted, or upon whom it ſhall depend. And therein alſo we deſire further Information from your Lordſhips.

13. *February.*

LIX. WEE deſire to ſee the Bills for the obſervation of the Lords Day, for ſuppreſſing of Innovation in Churches and Chappels, and for the better advancement of the Preaching of Gods Holy Word, which are mentioned in your Lordſhips * Paper of the 11, of *February*, we being very ready to conſent to the Subject Matter of thoſe Bills. We have expreſſed in our Paper delivered to your Lordſhips, what we conceive fit to be done in the buſineſs of Pluralities, which will prevent any inconveniences that way: And when your Lordſhips ſhall give us your Demands concerning Papiſts, and when we ſhall ſee the Acts for the Regulating and Reforming of both Univerſities, of the Colledges of *Weſtminſter*, *Wincheſter* and *Eaton*, and for the Education and Marriage of His Majeſties Children, and the Children of His Heirs and Succeſſors, in the true Proteſtant Religion, We ſhall give your Lordſhips ſuch Anſwers as ſhall be fit, being very willing to concur with your Lordſhips in any good means, for the ſuppreſſing of *Popery*, and advancement of the *Proteſtant Religion*. And we are well aſſured, that His Majeſty hath taken a pious Care, for the Education of all his good Subjects, we are confident, in due time, His Majeſty will ſo diſpoſe of the reſt in Marriage, as ſhall be moſt for the advancement of *Religion*, and the good and welfare of all his Dominions.

* No. 52.

Their anſwer to the Firſt.

13. *February.*

LX. *WHereas we expected your Lordſhips Reſolutions for His Majeſties Aſſent unto the Bill for the utter aboliſhing of Arch-Biſhops, Biſhops, &c. We find, by your Paper given in this Evening, that your Lordſhips are not yet ſatisfied that the Bill ſhould paſs, and you are pleaſed to expreſs ſeveral Reaſons and Objections againſt it, which were at large anſwered and cleared at the Publique debate. But what was then ſaid by us, is now by your Lordſhips wholly omitted; nor may we in writing repreſent it again unto your Lordſhips, it not being agreeable to the uſage of Parliaments, to deliver Reaſons for, or againſt a Bill, though we were willing, by Conference in the Treaty, to ſatisfie all doubts, and remove all ſcruples which remained with you. And ſo far were we from conſenting that Epiſcopacy hath continued from the Apoſtles times, by continual Succeſſion, that the contrary was made evident unto your Lordſhips, and the unlawfulneſs of it fully proved. And as for that which your Lordſhips have propounded, for uniting and reconciling all differences in the matter of Religion, it is a new Propoſition, which wholly differs from ours, is no way ſatisfactory to our deſires, nor conſiſting with that Reformation, to which both Kingdoms are obliged by their Solemn Covenant; therefore we can give no other Anſwer to it, but muſt inſiſt, to deſire your Lordſhips, that the Bill may be paſt, and our other Demands concerning Religion granted.*

The

20 Caroli.

The King's Commiſſioners Reply thereunto, 13. Feb.

LXI. WE conceive that our Anſwer to your Lordſhips, concerning the Bill for the utter aboliſhing of Archbiſhops, Biſhops, *&c.* was ſo reaſonable, that it clearly appears thereby, that the paſſing that individual Bill, is not agreeable to Conſcience and Juſtice, and that it would be very prejudicial to the Civil State, and to the Peace of the Kingdom; neither have the Reaſons and Objections given by us againſt it, firſt in debate, and ſince in writing, been anſwered in debate by your Lordſhips. And therefore we know no reaſon why your Lordſhips may not give an anſwer to thoſe Objections in Writing For as it is not agreeable to the uſage of Parliaments, for the two Houſes to give His Majeſty Reaſons why he ſhould paſs any Bill preſented by them; ſo it is no more agreeable to the ſame Uſage, for His Majeſty to give Reaſons why he doth not paſs Bills ſo preſented. But we deſire your Lordſhips to conſider, That we are now in a Treaty, and we conceive the proper buſineſs thereof, to be, for your Lordſhips to give us Reaſons, why His Majeſty ſhould conſent to the Propoſitions made by you, or for us to give Reaſons to your Lordſhips, why we cannot conſent to thoſe Propoſitions; otherwiſe it would be only a Demand on your Lordſhips part, and no Argument of Treaty between us. And we muſt profeſs to your Lordſhips, That (as we conceived in our former Paper) the Succeſſion of *Epiſcopacy*, by Succeſſion from the Apoſtles time, was conſented to on all parts, ſo we cannot remember, that the contrary thereof, was ſo much as alledged, much leſs that the unlawfulneſs thereof was proved, the Queſtion of the lawfulneſs thereof having never yet come in debate. And we ſhall be very ready to receive any aſſertion from your Lordſhips to that purpoſe, not doubting but we ſhall give your Lordſhips full ſatisfaction in that Point. And we conceive the alterations propoſed by us to your Lordſhips, to be a very proper anſwer to your Lordſhips Propoſitions, and moſt agreeable to the end, for which thoſe Propoſitions ſeem to be made. And that ſince it appears, that the utter aboliſhing of Epiſcopacy, in the manner propoſed, is viſibly inconvenient, and may be miſchievous, the Regulating of Epiſcopacy being moſt conſonant to the Primitive Inſtitution, will produce all theſe good effects towards Peace and Unity, which Regulated *Epiſcopacy* is the ſum of our former Paper, we deſire your Lordſhips to conſent to the ſame. And we again offer to your Lordſhips, That if you ſhall inſiſt upon any other things neceſſary for Reformation, we will apply our ſelves to the conſideration thereof.

Their Anſwer to the ſecond, 13. Feb.

LXII. ‘WE conceive your Lordſhips ſecond Paper, this day delivered to us, is a ‘denial of our Demands, that the Ordinance for Calling and Sitting of the ‘Aſſembly of Divines, be confirmed by Act of Parliament; and that His ‘Majeſty take the Solemn League and Covenant, and the Covenant be enjoyned ‘to be taken, according to the ſecond Propoſition. Wherein if we miſconceive ‘your Lordſhips intention, we deſire you would explain the meanings, and ac‘cordingly ſhall make our Reports to the Parliaments of both Kingdoms.

The King's Commiſſioners Reply, 13. Feb.

LXIII. CConcerning the Ordinances for the Calling and Sitting of the Aſſembly of Divines, and the taking the Covenant, we can give no farther Anſwer than we have done in our ſecond Paper, delivered to your Lordſhips this day.

Their Anſwer to the third, 13. Feb.

LXIV. ‘WE do conceive your Lordſhips third Paper is a Denial of our Demands, ‘concerning the *Directory* for Publick Worſhip, and the Propoſition for ‘Church-Government, againſt which your Lordſhips have made no Ob‘jection, and your Queries are already ſatisfied by Conference. And we ſhall ac‘cordingly make our Reports to the Parliaments of both Kingdoms.

An. 1644

The King's Commiſſioners Reply, 13. Feb.

LXV. OUR expreſſions in our Anſwer to your Lordſhips Demands, concerning the *Directory* for Publick Worſhip, import only what we, as yet, conceive concerning that matter, there having hitherto been no debate touching the ſame, or concerning the Common-Prayer-Book, now Eſtabliſhed by Law, and thereby intended to be aboliſhed. And therefore we did in that Paper, and do ſtill deſire to receive your Lordſhips * Objections againſt the Book of Common-Prayer, and your Reaſons for introducing the *Directory*. Neither can our Anſwer to the Propoſitions for Church Government, annexed to your firſt Paper, be otherwiſe taken, than as our deſire to receive information, how that Government ſhould be conſtituted in particular, and what Juriſdiction ſhould be eſtabliſhed, by whom granted, and upon whom it ſhould depend; which *Quere's* were not ſatisfied by any Conference, your Lordſhips (as we conceive) having declared your ſelves, that the particular Form or Model of that Government, mentioned in thoſe Propoſitions only in general, were not then particularly agreed on; and we have ſince deſired and expect to receive it, and therefore your Lordſhips cannot conceive we have denied that which we have not yet ſeen, nor been informed of.

* *None were made.*

Their Anſwer to the fourth, 13. Feb.

LXVI. 'TO your Lordſhips fourth Paper, we Anſwer, The Bill for *ſuppreſſing of Innovations in Churches and Chappels*, in and about the Worſhip of God, *&c.* And for the better advancement of the Preaching of Gods Holy Word in all parts of this Kingdom, and againſt the enjoying of *Pluralities* of Benefices by Spiritual Perſons, and *Non-Reſidency*, were heretofore preſented to His Majeſty, and remain with him: And we herewith deliver to your Lordſhips, the Ordinance for the due obſervation of the Lords Day, and we inſiſt on our former Demands concerning them. And when your Lordſhips have given us your full Anſwers to our Deſires already with you concerning Religion, we then ſhall deliver unto your Lordſhips our Demands concerning Papiſts, the regulating the Univerſities, the Education, and Marriage of His Majeſties Children, in the true Proteſtant Religion, contained in our Paper of the 11th. of this inſtant *February*.

The King's Commiſſioners Reply, 13. Feb.

LXVII. WE have not the Bills here, which we deſired of your Lordſhips, in our fourth Paper, to ſee, and which you now ſay were heretofore preſented to His Majeſty. But we ſhall take ſpeedy care to have thoſe Bills, if they remain with His Majeſty, and in the mean time deſire your Lordſhips to give us Copies of them, and we ſhall give your Lordſhips a ſpeedy Anſwer, as we ſhall to the Ordinance for the due obſervation of the Lords Day, which we received from your Lordships this Night, and had never before ſeen; and we ſhall be ready to receive your Lordships * Demands concerning *Papiſts*, the Regulating the Univerſities, the Education and Marriage of His Majeſties Children, and ſhall return our Anſwers accordingly.

* *None at all were delivered in.*

This laſt Paper concluded the Six days, appointed for the Treaty upon Religion, according to the Order preſcribed for diſpoſing the firſt eighteen days of the twenty for the Treaty. In the end of which eighteen days, after ſome Papers mutually delivered concerning the manner how the two laſt days ſhould be diſpoſed, this Subject of Religion, with the two others, were again reſumed, and their Papers following were then delivered in concerning Religion.

Their Paper, 21. Feb.

LXVIII. 'WHereas your Lordſhips in your * laſt Paper of *Feb.* 13. were pleaſed to ſay, That (as you conceived) the continual Succeſſion of *Epiſcopacy* 'from the Apoſtles times, was conſented to on all parts, and that you cannot re'member that the contrary thereof was ſo much as alledged, much leſs that the 'unlawfulneſs thereof was proved, the Queſtion of the unlawfulneſs thereof ha'ving never yet come into debate; We deſire your Lordſhips to remember,

* *The Paper intended, is the Kings Commiſſioners Reply, to their firſt Anſwer*, 13. Feb.

'That

20 *Caroli.*

'That when a Divine in Commiſſion with you undertook to prove the *Jus Divi-*
'*num* of *Epiſcopacy*, his Arguments were not only Anſwered by another Divine
'then in Commiſſion with us, but that four or five ſeveral Arguments were then
'brought by him out of the Scriptures, to prove the unlawfulneſs of it; and af-
'terwards in an extrajudicial debate between ſeveral Divines on both ſides, by
'conſent of the Commiſſioners, thoſe Arguments were further made good by the
'Divines on our ſide, and the pretended continual ſucceſſion of *Epiſcopal* Govern-
'ment from the Apoſtles times, was (as we conceive) at the ſame time ſufficiently
'diſproved; ſo that we cannot but wonder that your Lordſhips ſhould forget that
'the unlawfulneſs of it was debated. And whereas in your Lordſhips * laſt
'Paper of *Feb.* 20. you were pleaſed to ſay, that if it might be made appear,
'that the Government by *Biſhops* is unlawful, or that the Government, which we
'deſire to introduce in the room thereof, is the only Government that is agreeable
'to the Word of God, your Lordſhips would immediately give us full ſatisfacti-
'on in our Propoſition. We deſire your Lordſhips to remember beſides, what
'hath been proved in debate concerning the unlawfulneſs of *Epiſcopal Government*,
'and notwithſtanding the general Experience, That the Government by *Arch-*
'*biſhops*, *Biſhops*, &c. hath been a hinderance to Reformation, and growth of
'Religion, and prejudicial to the Civil State, and the manifeſt evidence of the
'thing it ſelf, that ſo much of the Government deſired by us, as hath been pre-
'ſented to your Lordſhips, is agreeable to the Word of God, how we have ſe-
'veral times offered our ſelves to give your Lordships ſatisfaction by Conference,
'if any objections remained with your Lordships to the contrary, which we are
'ſtill ready to do, and deſire your Lordships full Anſwer to that, and the reſt of
'our Propoſitions concerning *Religion*.

* *See the Paper*, 20. Feb. *being delivered upon another occaſion.*

The King's Commiſſioners Anſwer, 21. Feb.

LXIX.

WE did conceive that the continual Succeſſion of *Epiſcopacy* from the Apoſtles times, had been ſo clearly manifeſted to your Lordships, by our Confe-
rence on the 12th of this inſtant, that your Lordships had been fully ſatisfied therein; the which ſince you are not, we would gladly be informed, when, and where any National Church, ſince the Apoſtles times, was without that Govern-
ment; and ſince your Lordships are of Opinion that the unlawfulneſs of *Epiſcopacy* was made good by thoſe Arguments, which were given by the Divines on your part, which in truth we did not underſtand to be made to that purpoſe when they were firſt urged, and being now again remembred, in our Judgments do not in any degree prove the ſame, we being very ready to conſent to the abolishing there-
of if the ſame can be proved; and your Lordships aſſuming that you have proved it, and ſo that you can again prove it, we deſire your Lordships by Conference, or in Writing, to ſatisfie us in that point; which we hope being in your power (as you ſay) to do, and being a ſure way to put an end to this Debate by our yielding, your Lordships will not refuſe to do it: But if neither that, nor the other Propoſi-
tion, that the Government intended to be introduced by your Lordships, is the on-
ly Government, that is agreeable to the Word of God, can be evinced: We hope your Lordſhips will reſt ſatisfied with the reaſons we have given your Lordſhips in Writing, why we cannot conſent to your Propoſitions concerning Religion, as they are made and inſiſted on by your Lordſhips, and that we have offered your Lord-
ſhips a Remedy againſt all the Inconveniences that have been ever pretended in the Government, as is now eſtabliſhed by Law, and which ought not upon leſs Reaſons than we have mentioned to be taken away.

Their Reply, 21. Feb.

LXX.

'WE do not conceive that the continual Succeſſion of *Epiſcopacy* from the
'Apoſtles time, hath been at all manifeſted to us in Conference by your
'Lordſhips, and for what your Lordſhips mention concerning a National Church,
'it is a new Queſtion which hath not, as yet, been any part of the Subject of our
'Debate. But we deſire to bring that to a concluſion which is in iſſue between us,
'and not doubting but that your Lordſhips are fully ſatisfied, That *Epiſcopacy* is
'not *Jure Divino*, we are ready by Conference to ſhew the unlawfulneſs of that
'*Epiſcopacy* which we deſire to take away by our Bill, and that the Government
'which we propoſe is agreeable to the Word of God.

In

An. 1644.

In purſuance of this Paper, the moſt part of the next day, being the laſt of the Treaty, was ſpent in diſpute between the Divines; and after, their Commiſſioners delivered in this Paper.

22. *February.*

LXXI. 'HAving the laſt Night given in a Paper unto your Lordſhips, wherein we 'ſignified that we doubted not, but that you were fully ſatisfied, that '*Epiſcopacy* was not *Jure Divino*, we are the more confirmed in it, becauſe your 'Lordſhips have ſince that time given us nothing in to the contrary, and we hope 'we have by clear Arguments from Scripture and Reaſon this day likewiſe ſatis-'fied you, That the Government by *Archbiſhops, Biſhops, &c.* which we de-'ſire to be taken away by this Bill, is unlawful; and that the Government, which 'we deſire to be eſtabliſhed, is agreeable to the Word of God; and therefore we 'deſire your Lordſhips to agree to the paſſing of this Bill, and to give us your 'full and clear Anſwer to this, and the reſt of the Propoſitions concerning Re-'ligion.

The King's Commiſſioners Anſwer, 22. Feb.

LXXII. ACcording to your Lordships Paper of the laſt Night, we attended your Debate this Day, concerning the unlawfulneſs of *Epiſcopacy*; but did neither then, nor do now, acknowledge our ſelves convinced by any Argument offered by you, that *Epiſcopacy* is not *Jure Divino*, the ſame having been the Opinion of very many Learned Men in all Ages (which we do not cenſure or determine) but not inſiſted on by us, as the ground of any Anſwer we have delivered to your Lordships; and we are ſo far from being ſatisfied with the Arguments from Scripture and Reaſon, this day urged, to prove, That the Government by *Archbiſhops, Biſhops*, &c. which you deſire to be taken away by this Bill, is unlawful, that the weightieſt Arguments which were urged (in our Judgments) concluded at moſt againſt thoſe Inconveniences which are remedied by the Alteration offered by us to yonr Lordships, in our * Paper of the 13th. of this Month; and it ſeems ſtrange to us, that your Lordships ſhould think that Government (without which no *National Church* hath been ſince the Apoſtles times, till within theſe few years) to be unlawful; and for the Government deſired by you to be eſtabliſhed, your Lordships have not offered any ſuch particular Form of Government to us that may inable us to Judge thereof; and we cannot but obſerve, that the Arguments produced to that purpoſe, were only to prove the ſame not unlawful, without offering to prove it abſolute neceſſary, and therefore we conceive our Anſwer, formerly given to your Lordships concerning that Bill, and your Propoſitions concerning *Religion*, is a juſt and reaſonable Anſwer.

* *See before* No. 56.

After

20 *Caroli.*

After the first three Dayes of the Treaty, spent upon the Business of *Religion*, according to the Order formerly prescribed, the Propositions concerning the Militia were next Treated upon the three days following; beginning the Fourth of *February*, and the same was after resumed the 14. of *February*, for other three dayes.

Their Propositions touching the Militia.

4. February.

LXXIII.

WEE desire that by Act of Parliament, the Subjects of the Kingdom of England, *may be appointed to be Armed, Trained, and Disciplined, in such manner as both Houses shall think fit.*

The like for the Kingdom of Scotland, *in such manner as the Estates of Parliament there shall think fit.*

We desire that an Act of Parliament be passed for the setling of the Admiralty and Forces at Sea, and for raising of such moneys for maintenance of the said Forces, and of the Navy, as both Houses of Parliament shall think fit.

The like for the Kingdom of Scotland, *in such manner as the Estates of Parliament there shall think fit.*

An Act for the settling of all Forces by Sea and Land, and Commissioners to be nominated by both Houses of Parliament, of Persons of known integrity, and such as both Kingdoms may confide in, for their faithfulness to the Religion and Peace of the Kingdom, of the House of Peers and of the House of Commons, who shall be removed or altered from time to time, as both Houses shall think fit. And when any shall dye; others to be nominated in their places by the said Houses, which Commissioners shall have power,

First, to suppress any Forces raised without authority of both Houses of Parliament or in the intervals of Parliaments, without consent of the said Commissioners, to the disturbance of the publick Peace of these Kingdoms, and to suppress any Foreign Forces that shall invade this Kingdom; and that it shall be high Treason in any, who shall levy any Forces without such authority or consent, to the disturbance of the publick Peace of the Kingdom, any Commission under the Great Seal, or other warrant to the contrary, notwithstanding; and they to be incapable of any Pardon from His Majesty, and their Estates to be disposed of as both Houses of Parliament shall think fit.

2. To preserve the Peace now to be setled, and to prevent all disturbances of the publick Peace, that may arise by occasion of the late troubles.

So for the Kingdom of Scotland.

3. To have power to send part of themselves, so as they exceed not a third part, or be not under the number of to reside in the Kingdom of Scotland, *to assist and Vote as single persons, with the Commissioners of* Scotland, *in those matters wherein the Kingdom of* Scotland *is only concerned.*

So for the Kingdom of Scotland.

4. That the Commissioners of both Kingdoms, may meet as a joynt Committee, as they shall see cause, or send part of themselves, as aforesaid, to do as followeth;

1. To preserve the Peace betwixt the Kingdoms, and the King, and every one of them.

2. To prevent the violation of the Articles of Peace, as aforesaid, or any troubles arising in the Kingdoms, by breach of the said Articles, and to hear and determine all differences that may occasion the same, according to the Treaty; and to do further, according as they shall respectively receive Instructions from both Houses of Parliament in England, *or the estates of Parliament in* Scotland; *And in the intervals of Parliaments from the Commissioners for the preservation of the publick Peace.*

3. To raise and joyn the Forces of both Kingdoms, to resist all Forreign Invasions, and to suppress any Forces raised within any of the Kingdoms, to the disturbance of the publick Peace of the Kingdoms, by any authority under the Great Seal, or other warrant whatsoever,

An. 1644.

ſoever without conſent of both Houſes of Parliament in England, and the Eſtates of the Parliament in Scotland, or the ſaid Commiſſioners of that Kingdom whereof they are Subjects. And that in thoſe caſes of joynt concernment to both Kingdoms, the Commiſſioners to be directed to be there all, or ſuch part as aforeſaid, to Act and direct as joynt Commiſſioners of both Kingdoms.

We deſire that the Militia of the City of London, may be in the Ordering and government of the Lord Mayor, Aldermen and Commons in Common-Council aſſembled, or ſuch as they ſhall from time to time appoint, whereof the Lord Mayor and Sheriffs for the time being to be three. And that the Militia of the Pariſhes without London, and the Liberties within the Weekly Bill of Mortality, may be under the command of the Lord Mayor, Aldermen and Commons in Common-Council of the ſaid City, to be ordered in ſuch manner as ſhall be agreed on, and appointed by both Houſes of Parliament.

We deſire that the Tower of London, may be in the Government of the City of London, and the chief Officer and Governour thereof from time to time, be nominated and removeable by the Common-Council.

And that the Citizens, or Forces of London, ſhall not be drawn out of the City into any other parts of the Kingdom, without their own conſent. And that the drawing of their Forces into other parts of the Kingdom in theſe diſtracted times, may not be drawn into example for the future.

After theſe propoſitions made, the King's Commiſſioners, for their Information concerning theſe propoſitions, gave in ſeveral papers.

The Kings Commiſſioners paper, 4. *Feb.*

LXXIV. WE conceive the propoſitions delivered by your Lordſhips concerning the *Militia*, import very great alterations in the main foundation of the Frame of Government of this Kingdom, taking by expreſs words, or by neceſſary conſequence, the whole Military and Civil power out of the Crown, without any limitation in time, or reparation propoſed. Therefore we deſire to know for what term you intend the *Militia* ſhall be ſettled in ſuch manner as may be a reaſonable and full ſecurity, which we are ready and deſirous to give, to preſerve the peace now to be ſettled, and to prevent all diſturbances of the publick peace that may ariſe by occaſion of the late Troubles. For the better doing whereof, we are ready by conference to ſatisfie your Lordſhips in any particulars.

Their Anſwer, 4. *Feb.*

LXXV. "OUR paper given in to your Lordſhips concerning the *Militia*, doth not contain the alterations mentioned in your Lordſhips Anſwer, but deſires that "which by the wiſdom of the Parliaments of both Kingdoms is judged neceſſary "at this time for the ſecurity of His Majeſties Kingdoms, and preſervation of "the peace now to be ſettled, and until your Lordſhips ſhall declare an aſſent "unto the matter therein expreſſed, we conceive it will not be ſeaſonable to "give any anſwer concerning the time; And we are ready to confer with your "Lordſhips upon what ſhall be offered by you to our paper concerning the "*Militia* formerly delivered.

The King's Commiſſioners Reply, 4. *Feb.*

LXXVI. WE are of opinion, that the propoſitions in your Lordſhips paper contain the Alterations mentioned in the paper we lately delivered to your Lordſhips, and take by expreſs words, or neceſſary conſequence, the whole Military and Civil power out of the Crown, which alterations we are ready to make appear in debate. And the alterations being ſo great, we have reaſon to deſire to know the limitation of time, the conſideration of which makes the propoſitions more or leſs reaſonable.

The Kings Commiſſioners ſecond paper, 4. *Feb.*

LXXVII. WE deſire to know who the Commiſſioners ſhall be in whoſe hands the Forces by Sea and Land ſhall be entruſted; And whether you intend His Majeſty ſhall be obliged to conſent to ſuch perſons; or whether He may except

cept againſt them, and name others in their places of known affection to Religion and Peace.

Their Anſwer, 4. *Feb.*

LXXVIII. *THE Commiſſioners in whoſe hands the Forces by Sea and Land ſhall be entruſted, are to be nominated for* England, *by both the Houſes of the Parliament of* England, *and for* Scotland, *by the Eſtates of the Parliament of* Scotland, *as is expreſſed in our Paper formerly delivered to your Lordſhips concerning the Militia.*

The King's Commiſſioners Reply, 4. February.

LXXIX. WE deſire a full Anſwer to our paper concerning the Perſons to be entruſted with the Militia, it being very neceſſary to know the perſons, before conſent can be given to the matter; and whether His Majeſty may except againſt any ſuch perſons, and nominate others in their rooms, againſt whom there can be no juſt exception.

The King's Commiſſioners third Paper, 4. February.

LXXX. WE deſire to know, whether your Lordſhips intend, that the Militia of the City of *London* ſhall be independent, and not ſubordinate to thoſe Commiſſioners in whoſe hands the Forces by Sea and Land ſhall be entruſted.

Their Anſwer, 4. *February.*

LXXXI. *IT appears by the propoſitions concerning the Militia of the City of* London, *that the ſame is to be ordered in ſuch manner as ſhall be agreed on, and appointed by both Houſes of Parliament.*

The Kings Commiſſioners Reply, 4. February.

LXXXII. WE deſire an anſwer to our Paper concerning the Militia of the City of *London*, whether the ſame ſhall be ſubordinate to the Commiſſioners in whoſe hands the Forces, by Sea and Land, are to be intruſted; your Lordſhips Anſwer, that the ſame is to be ordered in ſuch manner as ſhall be agreed on, and appointed by both Houſes of Parliament (which yet doth not appear by the propoſitions) being no anſwer to the queſtion.

The Kings Commiſſioners paper, 5. February.

LXXXIII. HAving with great diligence peruſed your Lordſhips paper concerning the *Militia*, and being very deſirous to come to as ſpeedy a concluſion in that Argument as we can; We will be ready, to-morrow, to give your Lordſhips our full anſwer, which we are confident will give your Lordſhips ſatisfaction concerning the matter of the *Militia* of this Kingdom.

The Kings Commiſſioners paper, in Anſwer to the propoſitions concerning the Militia, *6. February.*

LXXXIV. TO ſuppreſs any Forces that may be raiſed to the diſturbance of the publick peace of the Kingdom, or that ſhall invade this Kingdom, and to preſerve the peace now to be ſettled, and to prevent all diſturbances of the publick peace, that may ariſe by occaſion of the late Troubles; And that His Majeſty and all His people may be ſecured from the Jealouſies and apprehenſions they have of danger; We do conſent, that all the Forces of the Kingdom, both by Sea and Land, ſhall be put into the hands of perſons of known faithfulneſs to Religion and peace of the Kingdom, in ſuch manner, and for ſuch time, as is hereafter mentioned.

That the number of thoſe perſons be twenty; or if that be not accepted by your Lordſhips, ſuch greater or leſſer number, as ſhall be agreed upon between us; And that His Majeſty may name half the perſons to be ſo entruſted, and the two Houſes the other half.

An. 1644

That ſuch Forts and Towns, in which Garriſons have been before theſe Troubles, and ſuch other as ſhall be agreed upon between us to be neceſſary for a time to be kept as Garriſons, ſhall be entruſted likewiſe to perſons to be choſen by the Commiſſioners, or the major part of them, to be ſubordinate to the ſaid Commiſſioners, and to receive orders from them, and no others; And all other places, which have been fortified ſince the beginning of theſe Troubles, ſhall be left as they were before, and the Fortifications and Works ſlighted and demoliſhed; And all Forces with all poſſible expedition to be disbanded, that the Kingdom may be eaſed of that intolerable burthen.

That an Act of Parliament ſhall be paſſed for the raiſing of ſuch Moneys, for the maintenance of the Navy and Sea-Forces, as His Majeſty and both Houſes ſhall think fit.

That when any of the ſaid Commiſſioners ſhall dye, who was nominated by His Majeſty, His Majeſty ſhall name another; And when any ſhall dye of thoſe named by the two Houſes, another ſhall be choſen by them, and in the intervals of Parliament by the major part of the ſaid Commiſſioners named by the two Houſes, and neither the one nor the other to be removed; but by the joynt conſent of His Majeſty and both Houſes, except it ſhall be deſired by your Lordſhips that His Majeſty and the two Houſes reſpectively may remove the reſpective perſons named by them, as often as they ſhall ſee occaſion, to which (if it ſhall be inſiſted on) we ſhall conſent.

Theſe Commiſſioners, or the major part of them, or ſuch other number of them as ſhall be agreed upon, ſhall have power by Act of Parliament, to ſuppreſs any Forces raiſed ſitting a Parliament, without the joynt conſent of His Majeſty and both Houſes of Parliament; or in the intervals of Parliament without conſent of the ſaid Commiſſioners, or the major part of them, to the diſturbance of the publick peace of the Kingdom, and to ſuppreſs any Forces that ſhall invade the Kingdom. And it ſhall be High Treaſon in any who ſhall levy any Forces, without ſuch authority or conſent, to the diſturbance of the publick peace.

That they ſhall have like power to preſerve the peace now to be ſettled, and to prevent all diſturbances of the publick peace, that may ariſe by occaſion of the late Troubles; And if any Forces ſhall be brought into the Kingdom, without the joynt conſent of the King and the two Houſes of Parliament, it ſhall be lawful for any four of the ſaid Commiſſioners to levy Forces for the ſuppreſſing, reſiſting and deſtroying of the ſaid Forces ſo brought in.

We are content that this power to ſuch perſons ſhall continue for the ſpace of three years, which we doubt not, but by the bleſſing of God, will be abundantly ſufficient to ſecure all perſons from their doubts and Fears, and in which time ſuch a mutual confidence may be begot betwixt His Majeſty and all His people, that the peace will be firm and laſting.

That the Commiſſioners, before their entrance upon the ſaid Truſt, ſhall take an Oath for the due execution of the ſaid Commiſſion, and that after the expiration of the ſaid term of three years, from the time of the iſſuing the ſaid Commiſſion, they ſhall not preſume to continue any execution of the ſaid authority, and it ſhall be high Treaſon in any of them to execute the ſaid authority after the expiration of the ſaid three years: And all the Commanders in chief of the Garriſons, Forts, and His Majeſties Ships, ſhall likewiſe take an Oath for the due execution of their Truſt.

That the Commiſſioners ſhall have power to prevent the violation of the Articles of peace, or any troubles ariſing in the Kingdom by breach of the ſaid Articles, and to hear and determine all differences that may occaſion the ſame.

We ſhall be willing that any juſt priviledges and immunities be granted by His Majeſty to the City of *London*, as being the chief City of this Kingdom, and the place His Majeſty deſires to Honour with his moſt uſual and moſt conſtant Reſidence: But we conceive it too envious a thing, and may prove very prejudicial to the happineſs of that great City, to diſtinguish it in a matter of ſo high importance as the buſineſs of the *Militia*, from the Authority that the whole Kingdom is to ſubmit to.

If

20 *Caroli.*

If your Lordſhips ſhall not conſent to the election of perſons, in that manner as we have propoſed, half by His Majeſty, and the other half by the two Houſes, we do then propoſe to your Lordſhips, that the ſaid perſons who ſhall have the ſaid powers in manner and form above mentioned, may be named by mutual conſent upon debate between us; in which conſideration may be taken of the fitneſs or unfitneſs of thoſe who ſhall be Named: And in caſe that any of them who ſhall be thus agreed upon ſhall dye within the ſaid term of three years, be ſurvivors, or the major part of them, ſhall nominate and chuſe another in his place who ſhall be deceaſed. This way we ſhould moſt have deſired, but in regard the conſideration of Perſons may take up a long time in debate, which neither the time allotted for the Treaty, nor the preſent diſtractions will permit, we do propoſe the former as the moſt expedite and certain way, but leave the election to your Lordſhips.

And whatſoever ſhall be found deficient in the ſettling this according to the preſent agreement, or ſhall be thought fit to be added to it upon any inconveniences or defects that ſhall be hereafter diſcovered, the ſame ſhall be mended or ſupplied in ſuch manner as ſhall be thought reaſonable by the joynt conſent of His Majeſty, and the two Houſes of Parliament.

After which the King's Commiſſioners delivered this Paper, 6. Feb.

LXXXV. WE ſhall be ready againſt the time that the *Militia* is again in order to be Treated upon, to give your Lordships an Anſwer to your Demands, concerning the *Militia* of the Kingdom of *Scotland*; the which for the preſent, we have not had time to do, having wholly ſpent theſe three days in the perfecting the Paper delivered to your Lordships this day, and the debates in preparation thereof.

And at the ſame time their Commiſſioners delivered in this Paper, 6. *Feb.*

LXXXVI. *YOur Lordſhips Paper which we have received ſo late at the end of the third day, appointed to Treat upon the* Militia, *on which we expected a ſatisfactory anſwer to our demands concerning it is very far differing from what we have propoſed, and unſatisfactory to our juſt and neceſſary deſires, for ſecuring the Peace of the Kingdoms, and wherein we cannot but obſerve, that the Kingdom of* Scotland *is wholly omitted. We do therefore inſiſt upon our Paper formerly delivered concerning the* Militia, *and deſire your Lordſhips full and clear anſwer, being ready by Conference to remove all Objections, which may be made to the contrary.*

The King's Commiſſioners Anſwer thereupon, 6. Feb.

LXXXVII. WE conceive the Paper delivered by us to your Lordships, may juſtly ſatisfie your Lordships for the ſecuring the Peace of this Kingdom againſt all Forces that may any ways endanger it at home, or from abroad, and for ſecuring the performance of all things that ſhall be agreed in this Treaty; and we are ready by Conference to make the reaſonableneſs thereof appear, and to receive any reaſons from your Lordships to the contrary. And as touching *Scotland*, we hope your Lordships will be ſatisfied by the laſt Paper we delivered to you.

Their Paper, 6. *Feb.*

LXXXVIII. *IN our laſt Paper we inſiſted upon our former demands for the* Militia, *and offered by Conference to ſatisfie your Lordſhips of the reaſonableneſs of them, if any doubts remained with you to the contrary, which we are ſtill ready to do, they being the proper ſubject of this part of the Treaty. And whereas your Lordſhips have in your Paper, referred what concerns the Kingdom of* Scotland *unto another time, and ſeems to intend it a ſeveral anſwer; both Kingdoms being united in the ſame Cauſe, and under the ſame Danger, and mutually providing for the joynt ſafety, and ſecurity of both, and each other, our Propoſitions are joyntly made by both, and are inconſiſtent with a divided anſwer.*

An. 1644

The King's Commiſſioners Anſwer, 6. Feb.

LXXXIX. WHereas your Lordships have offered in your laſt Paper to ſatisfie us, by Conference, of the reaſonableneſs of your demands, if any doubts remain with us to the contrary; We deſire to receive ſatisfaction by Conference, that it is reaſonable for us to grant the Nomination of the Perſons by the two Houſes only, and that the time ought not to be limited.

Their Paper, 6. *Feb.*

XC. *AS we have given to your Lordſhips our Propoſitions, for the* Militia *of both Kingdoms in writing, ſo we do again deſire your Lordſhips full and clear anſwer to them both, in writing, and we are ready to anſwer any doubts you ſhall make upon them in order as we delivered them, and as they do relate to both Kingdoms, but we cannot Treat your Lordſhips anſwer which divides them.*

The firſt three days, allotted for the Treaty upon the *Militia*, being ſpent, and that ſubject reſumed upon *Friday* the 14th. *Saturday* the 15th. and *Monday* the 17th. of *February*. In thoſe days divers Papers were delivered, and ſome debates had touching the *Nomination of the Perſons*, who were to be entruſted with the *Militia*, whether they ſhould all be *Nominated* by the two Houſes only; and *touching the time*, how long they ſhould have it, and whether the ſame ſhould be unlimited, as it was in the Propoſitions, or be limited to a certain time; as likewiſe *concerning the Powers* of the *Engliſh* and *Scottiſh* Commiſſioners for the *Militia*, which are ſo intermingled in the Propoſitions, that it was not well underſtood upon the Propoſitions, how far the Commiſſioners of one Kingdom, and their Power might extend unto, and have influence upon the other, and the one upon the Government of the other, and concerning ſome other paſſages having relation to the *Militia*; which would be intricate, if they ſhould be ſet down in the order of time as they were delivered; and becauſe ſometimes divers Papers were delivered together, therefore they are placed according to their diſtinct matters. And firſt touching the Nomination of Perſons, and Limitation of the time.

The King's Commiſſioners delivered in this Paper, 14. Feb.

XCI. IF your Lordships are not ſatisfied with the * Papers delivered to your Lordſhips by us on the 6th. of *February*, concerning the *Militia*, as far as the ſame concerns this Kingdom, we deſire according to your Lordſhips offer in your firſt, and * ſecond Paper delivered to us the ſixth of *February*, that your Lordſhips will ſatisfie us of the reaſonableneſs of your demands, and that the Nominating of the Perſons ought to be by the two Houſes only, and that the time ought not to be limited.

* *See* No. 84.

* *See* No. 86. & 88.

Their Anſwer, 14. Feb.

XCII. *BY your Lordſhips Paper received this day, we apprehend your deſire to proceed in the Treaty, upon the Propoſitions for the* Militia, *as far as the ſame concerns this Kingdom, without any mention of the Kingdom of* Scotland. *In anſwer whereunto, we refer your Lordſhips to a former Paper of the 6th. of* February *inſtant, whereby we deſired your full and clear anſwer to our Propoſitions for the* Militia *of both Kingdoms, in order as we have delivered them, and as they do relate to both Kingdoms, and that we could not Treat upon your Lordſhips anſwer which divides them. We ſtill inſiſt on that Paper, and when your Lordſhips ſhall be pleaſed, to give an anſwer thereunto, we ſhall be ready to clear any doubts which may remain with your Lordſhips.*

The King's Commiſſioners Reply, 14. Feb.

XCIII. WE do deſire to proceed in the Treaty, upon the Propoſition for the *Militia*, as the ſame concerns both Kingdoms joyntly, as well as either of them ſeverally, neither is the contrary expreſſed (as we conceive) in the Paper delivered by us to your Lordſhips this day; but we cannot reaſonably anſwer to them as they concern one or both Kingdoms, before we receive ſatisfaction from your Lordſhips of the reaſonableneſs of your demands, which your Lordſhips were

were pleaſed to promiſe us by two of your Papers of the ſixth of *February*, and which we again deſire of your Lordſhips concerning the Perſons and the time, conceiving it unreaſonable, that all the Perſons ſhall be nominated only by the Houſes, and that the time ſhould be unlimited.

Their Anſwer, 15. *Feb.*

XCIV. *WE have formerly deſired your Lordſhips anſwer to the Propoſitions for the* Militia, *in order as we delivered them, and as they do relate to both Kingdoms, and not to give any anſwer which ſhall divide them. Yet we obſerve in the matter of your Lordſhips* * *third Paper yeſterday received, that you deſire ſatisfaction in the Particulars there mentioned, as the ſame concern the Kingdom of* England, *only in purſuance of a former Paper given in by your Lordſhips the 6th. of* February. *We therefore again deſire as formerly, that ſuch anſwer as your Lordſhips ſhall think fit to make to our Propoſitions concerning the* Militia, *may be applied to both Kingdoms joyntly, and then we ſhall be ready by Conference to clear any Objections, which your Lordſhips ſhall make againſt the reaſonableneſs of our demands.*

* See the paper intended No. 105.

The Kings Commiſſioners Paper, 15. Feb.

XCV. WE deſire that your Lordſhips will ſatisfie us of the reaſonableneſs of your demands concerning the ſettling the *Militia* of both Kingdoms, and that the Nominating of the Perſons ought to be by the two Houſes of Parliament, and the like for the Kingdom of *Scotland*, and that the time ought not to be limited.

Their Paper, 15. *Feb.*

XCVI. *YOur Lordſhips demand in your* * *4th. Paper being made concerning the* Militia *of both Kingdoms, we are ready upon Conference to give ſatisfaction to what your Lordſhips ſhall object againſt the Nominating of the Commiſſioners by the two Houſes of the Parliament of* England, *and the Eſtates of the Parliament of* Scotland *reſpectively, or againſt the time for which the* Militia *is demanded in the Propoſitions.*

* *The precedent Paper.*

After ſome time ſpent in Conference, for limiting the time, wherein the debate was, touching the unreaſonableneſs of the demand, for taking from the King the Power of the *Militia*, and ſettling it in Commiſſioners, to be Nominated by the two Houſes, not limited to any time, the Kings Commiſſioners gave in this Paper.

15. *Feb.*

XCVII. WE deſire to know whether your Lordſhips can, by your Inſtructions, conſent to a limitation of time, in the ſettling the *Militia*, or whether you muſt inſiſt, that the time be unlimited.

Their Anſwer, 17. *Feb.*

XCVIII. *IN anſwer to your* * *ſixth Paper of the 15th. of this inſtant, concerning the limitation of time, in the ſettling of the* Militia, *We do inſiſt that the time be unlimited, according to our former demands.*

* *The next precedent Paper.*

The King's Commiſſioners Reply, 17. Feb.

XCIX. AFter ſo long debate between us, concerning the limitation of time, in the ſettling of the *Militia*, (in which we conceive your Lordſhips had been ſatisfied, that as it is no way neceſſary, for the ſecurity of the obſervation and performance of the preſent agreement, that the time ſhould be unlimited, ſo in reſpect of other conſiderations, it may be very miſchievous, that it ſhould be unlimited) we had great reaſon to deſire to know, whether your Lordſhips had any power by your Inſtructions, to conſent to a limitation of time, and are ſorry that your Lordſhips will not give us an anſwer to that queſtion, that thereupon we might have endeavoured to have given your Lordſhips other ſatisfaction, than by not knowing your power therein, we are enabled to do.

Their

An. 1644.

Their Paper, 17. *Feb.*

C. *WE conceive that after ſo long a debate between us, your Lordſhips would have been ſatisfied, that it was moſt fit concerning the ſettling the* Militia, *for the time to be unlimited, as we have formerly deſired, and which by our Inſtructions we are to inſiſt upon.*

They alſo delivered in this Paper, 17. *Feb.*

CI. *WE deſire a full and clear Anſwer to what we have delivered to your Lordſhips concerning the* Militia, *and to know whether your Lordſhips be limited by any Inſtructions or Directions, what to grant or deny in the ſame, and that we may have a ſight of ſuch Inſtructions or Directions.*

The Anſwer, 17. Feb.

CII WE do * herewith deliver to your Lordſhips, ſuch a full and clear anſwer to your Propoſitions concerning the *Militia*, as we hope will give your Lordſhips ſatisfaction, being ſuch, as upon the Conference and Information we have received from your Lordſhips, ſeems to us to be moſt reaſonable.

It appeareth by our Commiſſion, whereof your Lordſhips have a Copy, that it hath not any reference to any Inſtructions. It is true, that as we have (according to our duty) from time to time acquainted His Majeſty with our proceedings, ſo in ſome particular caſes, we have deſired to be aſſiſted with His Majeſties opinion, but what anſwers we have therein received from His Majeſty, we conceive it not proper for us to communicate to your Lordſhips, nor have we any warrant ſo to do.

* *The Paper after No.* 128. *was delivered with this.*

Their Reply, 17. *Feb.*

CIII. *WE again deſire of your Lordſhips, to know, whether you be limited by any Inſtructions, or Directions, what to grant or deny unto us, concerning the* Militia, *and that we may have a ſight of ſuch Inſtructions or Directions, and which we conceive your Lordſhips in Juſtice and Reaſon cannot deny, ſeeing by your Papers and Debates, you inſiſted, that it was juſt and reaſonable for us to let you know, whether we had any power by our Inſtructions, to conſent to a limitation of time, which we did accordingly. And your Lordſhips ſeventh Paper, this day delivered, gives no anſwer or ſatisfaction to our former demand herein.*

The King's Commiſſioners Anſwer, 17. Feb.

CIV. WE conceive it was juſt and reaſonable, for us to demand of your Lordſhips, whether you had power by our inſtructions to conſent to a limitation of time concerning the *Militia*, becauſe the time is left indefinite, and not expreſſed in the Propoſitions. And your Lordſhips Commiſſion, which gives you power to Treat, relating to Inſtructions, they are thereby part of your power, and yet your Lordſhips to that our Demand, have given no other anſwer, than, That by your Inſtructions, you were to inſiſt, to have the time unlimited; but have not anſwered, whether you had power to conſent to a limitation of time. And we deſire your Lordſhips to remember, that formerly upon our deſire to ſee your Inſtructions, that thereby we might ſee what power was granted to you, by your * Paper of the laſt of *January*, your Lordſhips did anſwer, it was that for which you had no warrant; and it appearing to your Lordſhips, that our Commiſſion hath no reference to Inſtructions, we conceive that your Lordſhips cannot expect any other anſwer, than we have already given to your Lordſhips demand, touching any Inſtructions or Directions to us, what to deny, or conſent to grant in the *Militia*, aſſuring your Lordſhips that we ſhall not deny, but willingly conſent, to grant whatſoever ſhall be therein requiſite for a full ſecurity, for obſerving the Articles of the Treaty, or otherwiſe agreeable to Juſtice or Reaſon.

* *See before*, No. 16.

Touching

20 *Caroli.*

Touching the Power which ſhould be given to the Commiſſioners for the *Militia.*

The Kings Commiſſioners Paper, 14. February.

CV. WE deſire to know, what authority the Commiſſioners, nominated by the Eſtates of the Parliament of *Scotland*, are to have in the *Militia* of this Kingdom; and what influence, the Orders and advice, from the Eſtates of the Parliament there, ſhall have upon this Kingdom; and how far the ſame is to be conſented to, or ſubmitted to here.

Their Anſwer, 14. *February.*

CVI. *YOur Lordſhips deſire, expreſſed in your ſecond Paper this day, may be fully ſatisfied by the Propoſitions concerning the* Militia, *where the authority of the Commiſſioners to be nominated, is clearly expreſſed, both in caſes of ſeveral, and of joynt concernment of the Kingdoms; And if upon peruſal thereof any doubts ſhall occur to your Lordſhips, we are ready by conference to clear the ſame.*

The Kings Commiſſioners Paper, 15. February.

CVII. WE do not conceive that the authority of the Commiſſioners of both Kingdoms, and in both Kingdoms, is clearly expreſſed in your Lordſhips propoſitions, and therefore we deſire to be informed, whether your Lordſhips intend that the Commiſſioners of *Scotland* ſhall have any power in the ſettling of all Forces by Sea and Land in this Kingdom, and what authority they ſhall have.

Their Paper, 15. *February.*

CVIII. *WE do conceive, that the authority of the Commiſſioners of both Kingdoms, and in both Kingdoms, is clearly expreſſed in our propoſitions: By which it doth appear how they are to act, as ſeveral or as joynt Commiſſioners. And if your Lordſhips ſhall propound any objections againſt our Propoſitions concerning the* Militia *of both Kingdoms, we are ready upon conference to give your Lordſhips ſatisfaction.*

The Kings Commiſſioners Paper, 15 February.

CIX. WE deſire to know, whether in that part of the propoſition, wherein the Commiſſioners of both Kingdoms are appointed to meet as a joynt Committee, and to receive Inſtructions in the intervals of Parliament from the Commiſſioners for the preſervation of the publick peace; your Lordſhips mean the Commiſſioners to be nominated according to theſe propoſitions, or the * Commiſſioners intended by the Act of Pacification, or what other Commiſſioners; And what Juriſdiction you intend the ſaid Commiſſioners of both Kingdoms ſhall have, by the power given them to hear and determine all differences that may occaſion the breach of the Articles of the peace, according to the Treaty, and by what Law they ſhall proceed to hear and determine the ſame.

* See the Printed Act.

Their Anſwer, 15, *February.*

CX. *WE intend that the Commiſſioners are to be nominated according to the Propoſitions, and are to proceed in ſuch manner as is therein expreſſed; and if your Lordſhips ſhall make any objection hereupon, we are ready by Conference to give you ſatisfaction.*

Their further Anſwer, 15. *February.*

CXI. *FOR further anſwer to your Lordſhips ſecond Paper, we conceive that the matter of the Juriſdiction to be exerciſed by the Commiſſioners is expreſſed in the Propoſition, and for the manner of exerciſing that Juriſdiction, and by what Law they ſhall proceed*

An 1644

ceed to hear and determine the ſame are to be ſettled by the two Houſes of the Parliament of England, *and the Eſtates of the Parliament of* Scotland *reſpectively.*

The Kings Commiſſioners Paper, 15. February.

CXII. * *See* No. 107, & 109, & No. 105.

WE deſire to receive a perfect and full anſwer from your Lordſhips to our * firſt and ſecond * papers, delivered by us this morning to your Lordſhips and whether your Lordſhips intend, that the Commiſſioners of *Scotland* ſhall have any power and authority in the ſettling all Forces by Sea and Land in this Kingdom, and what authority they ſhall have; and whether the advice or orders of the Eſtates of the Parliament of *Scotland*, ſhall have any influence upon the affairs of this Kingdom, or the Commiſſioners to be named according to theſe propoſitions, otherwiſe then as the ſaid advice or orders ſhall be approved, and confirmed by the two Houſes of Parliament of *England*; and what Juriſdiction you intend the Commiſſioners ſhall have who are to determine all differences, that may occaſion the breach of the Articles of peace; and by what Law or rule they ſhall proceed, try, and Judge, in the hearing and determining the ſame; And it is moſt neceſſary for us to deſire ſatisfaction from your Lordſhips to theſe particulars in writing, ſince the anſwer we ſhall give to your Lordships upon ſo much of your propoſitions, will very much depend upon our clear underſtanding your Lordships in theſe particulars, it being agreed between us, that nothing ſhall be binding, or taken as agreed upon, but what ſhall be in writing on either part.

Their Anſwer, 17. *February.*

CXIII. * *See the Papers intended*, No. 92, & 106

* No. 111.

*WE conceive there is a full anſwer already given by us in * ſeveral papers of the* 14 *of this inſtant, to the former parts of our Paper, delivered in on the* 15 *day, and to the latter part, what Juriſdiction the Commiſſioners ſhall have, who may determine all differences, that ſhall be by breach of the Articles of Peace, and by what Law and rule they ſhall proceed to hear and determine, the ſame is clearly et ſdown in our * further anſwer of the* 15 *of this inſtant, to your ſecond Paper delivered in to us the day before.*

The Kings Commiſſioners Anſwer thereunto.

CXIV.

WE had great reaſon to deſire a perfect and full anſwer from your Lordſhips, to our firſt and ſecond papers delivered by us to your Lordſhips on the 15 of *Feb.* and we deſire your Lordships to conſider how difficult a thing it is for us, to give your Lordships a ſatisfactory anſwer to your propoſitions; as they relate to either, or both Kingdoms, or to the power of the Commiſſioners of both Kingdoms, as they are to be a joynt Committee to hear and determine all differences, according to inſtructions from both Houſes of Parliament of *England*, or the Eſtates of the Parliament of *Scotland*, before your Lordſhips are pleaſed to inform us, whether you intend the Commiſſioners of *Scotland* ſhall have any power or authority in the ſettling all Forces by Sea and Land in this Kingdom, and what authority they ſhall have; and whether the advice, inſtructions, or orders of the Eſtates of the Parliament of *Scotland*, ſhall have any influence upon the affairs of this Kingdom, or the Commiſſioners to be named according to thoſe propoſitions, otherwiſe then as the ſaid advice, inſtructions, or orders ſhall be approved and confirmed by the two Houſes of Parliament of *England*; or what Juriſdiction you intend the Commiſſioners ſhall have, who are to determine all differences that may occaſion the breach of the Articles of the peace; and by what Law or rule they ſhall proceed, try, and Judge, in the hearing and determining the ſame. In all which particulars we are very ſorry that we can receive no anſwers from your Lordſhips, for want whereof we may fail in giving your Lordſhips ſo ſatisfactory anſwers to your propoſitions, as otherwiſe we might be enabled to do.

Their Reply, 17. Feb.

CXV.

"IT is clearly expreſſed in our propoſitions delivered to your Lordſhips, that "all Forces by Sea and Land in this Kingdom, are to be ſettled by the two "Houſes of the Parliament of *England*, and in the Kingdom of *Scotland*, by the "Eſtates of the Parliament there; and we conceive that the advice, inſtructions, "or orders of either Kingdom, are to have no influence upon the affairs of the "other,

other, but ſuch as is and ſhall be mutually agreed upon by the two Houſes of the Parliament of *England*, and the Eſtates of the Parliament of *Scotland*; And for the Juriſdiction of the Commiſſioners, and by what Law or rule they ſhall proceed, we have given your Lordſhips a full and clear anſwer thereunto, in our paper * of the 15 of *February*. 20 *Caroli.*

* *See before*, No. 114.

The Kings Commiſſioners Paper, 17. February.

CXVI. IN the 12th propoſition your Lordſhips deſire an Act to be paſſed for confirmation of the late Treaty, for the ſettling of the Garriſon of *Berwick* of the 29 of *November*, 1643. which relating to the buſineſs of the *Militia*, we hold it neceſſary to ſee before we can make our full anſwer upon the whole, and deſire it accordingly of your Lordſhips.

Their Anſwer, 17. Feb.

"AS for what concerns the Act for Confirmation of the late Treaty, and for "ſettling the Garriſon of *Berwick*, It is not now to be treated upon but is "reſerved to its proper time.

The Kings Commiſſioners Paper, 17. Feb.

CXVII. WE deſire to know, whether by the joynt Power mentioned in your Lordſhips propoſitions, to be given to the Commiſſioners for both Kingdoms, to preſerve the Peace between the Kingdoms, and the King and every one of them, your Lordſhips do intend any other then Military power for ſuppreſſing Forces only, which is expreſſed after in a diſtinct clauſe by it ſelf; And if your Lordſhips do intend any further power, that your Lordſhips would declare the ſame in certainty and particular.

Their Anſwer, 17. Feb.

CXVIII. "WE conceive the power of the Commiſſioners, mentioned in the 17th pro-"poſition, is there fully expreſſed to preſerve the peace betwixt the King-"doms, to prevent the violation of it, or any troubles ariſing in the Kingdoms "by breach of the Articles, and to hear and determine all differences which may "occaſion the ſame, according to the Treaty, and to raiſe Forces to reſiſt For-"reign Invaſion, and ſuppreſs inteſtine Inſurrections, as is more at large ſet "down in the propoſitions, to which we refer your Lordſhips.

The Kings Commiſſioners Paper, 17 Feb.

CXIX. WE deſire to know whether the Commiſſioners of both Kingdoms meeting as a joynt Committee, the Commiſſioners of each Kingdom ſhall have a Negative voice, ſo as nothing can be done without their joynt conſent in matters of joynt concernment: And how, and by whom it ſhall be decided, what are caſes of joynt concernment to both Kingdoms.

Their Anſwer, 17. *Feb.*

CXX. "IN all matters of joynt concernment, the Commiſſioners of both Kingdoms "are to Act joyntly. And when they ſhall meet as a joynt Committee upon "ſuch matters of joynt concernment, the Commiſſioners of each Kingdom are to "have a Negative voice; And in doubtful Caſes, not expreſſed in the 17th. "Propoſition, to be of joynt concernment, where the Commiſſioners cannot "agree, whether or no they be of joynt concernment, they are to repreſent them "to the two Houſes of Parliament of *England*, and the Eſtates of the Parliament "of *Scotland* reſpectively, to be by them determined if they be fitting, and in "the intervals of Parliament, if the caſes be ſuch as cannot without prejudice to "both, or either Kingdom, admit of delay, we conceive the Commiſſioners of "each Kingdom are to Act ſeverally, and to be accomptable for it to the "two Houſes of Parliament of *England*, and the Eſtates of the Parliament of *Scot-"land* reſpectively, at their next ſitting.

An. 1644.

The King's Commiſſioners Paper, 17. Feb.

CXXII. WE deſire to know, whether by the propoſitions for ſetling the Forces Commiſſioners to be nominated by both Houſes of *Parliament*, ſuch both Kingdoms may confide in, your Lordſhips do intend, That the Eſtates of the *Parliament* of *Scotland* ſhall approve or except againſt the Commiſſioners to be nominated for the Kingdom of *England*, both at preſent, and from time to time, as the Commiſſioners ſhall dye, or be removed, or altered.

Their Anſwer, 17. Feb.

CXXIII. " WE conceive it to be plain by the propoſition it ſelf, that the Commiſſioners " of both Kingdoms are reſpectively to be nominated by the Parliaments " of either Kingdom, and neither Parliament hath power to except againſt, or " approve the perſons choſen by the other, and we are confident there will be no " cauſe of exception, but who are choſen by either, will be ſuch as both may " confide in.

The Kings Commiſſioners Paper, 14. Feb.

CXXIV. WE deſire to know, whether your Lordſhips intend by your propoſitions concerning the ſettling of the Admiralty of *Scotland* by Act of Parliament, to alter the inheritance of any perſon, which is already ſettled by the Laws of that Kingdom.

The Admiralty is an office of Inheritance in Scotland, *and ſettled by Act of Parliament.*

Their Anſwer thereunto, 15. Feb.

CXXV. " TO your Lordſhips fourth paper of the 14 of *Feb.* it is anſwered, that by " our propoſitions for ſettling the Admiralty of *Scotland* by Act of Parlia- " ment; it is intended that the Admiralty and Forces at Sea, *&c.* ſhall be ſettled " in ſuch manner as the Eſtates of Parliament there ſhall think fitteſt, for the ſafety " and ſecurity of that Kingdom, And as touching the Inheritance of any perſon " which is already ſettled by the Laws of that Kingdom, the Eſtates of Parliament " will do that which is agreeable to Juſtice.

The Kings Commiſſioners Paper, 15. Feb.

CXXVI. WE deſire to know, whether the papers delivered to us touching the *Militia* contain all your Lordſhips propoſitions touching the *Militia* of *England* and *Scotland*: and if they do not, that your Lordſhips will deliver the reſt, that we may make our anſwers upon the whole.

Their Anſwer, 14. Feb.

CXXVII. " WHatſoever is contained in the propoſitions concerning the *Militia* of *Eng-* " *land* and *Scotland*, is delivered in to your Lordſhips except the 23 pro- " poſition, and the laſt Article in the 26 propoſition, which are reſerved " for their proper place.

After all theſe paſſages, the King's Commiſſioners delivered in this Paper, in further Anſwer to their Propoſitions concerning the Militia.

17. *Feb.*

20 Car. I.

17. *Feb.*

CXXVIII. * No. 84.

WE had no purpoſe in our * anſwer delivered by us to your Lordſhips on the 6th day of *February*, to divide our anſwers concerning the *Militia* of the two Kingdoms, otherwiſe then in point of time, and till we might receive ſatisfaction from your Lordſhips, concerning the powers to be given to the Commiſſioners of both Kingdoms, and the other particulars mentioned in our Paper of Advance delivered to your Lordſhips, wherein we are not as yet ſatisfied by any Paper delivered by your Lordſhips to us. Our further anſwer to thoſe Propoſitions concerning the *Militia*, is, That we are willing and do agree, that the like courſe ſhall be taken and obſerved touching the *Militia* of the Kingdom of *Scotland*, as is offered in our ſaid Paper of the 6th. of *February*, and as ſhall be hereafter agreed on for the Kingdom of *England*, which we conceive to be a full ſecurity for the performance and obſervation of all Articles, which ſhall be agreed upon between us in order to a bleſſed Peace; which we are ſo deſirous may be punctually and exactly obſerved, that we are willing that His Majeſty be deſired to take a moſt ſolemn ſtrict Oath, for the full obſervation thereof; and likewiſe that all perſons of any immediate Truſt, by Office or Attendance on His Majeſty, and any other whom you ſhall think fit, ſhall take ſuch Oath, for the due obſervance of the ſame, with ſuch reaſonable Penalties as ſhall be propoſed by your Lordſhips, and agreed to by us; in which we believe we ſhall not differ with your Lordſhips, being willing that whoſoever ſhall in the leaſt degree infringe the agreement which ſhall be made between us, may be looked upon and accounted, as moſt pernicious Enemies to the King and Kingdoms: And if it ſhall be thought neceſſary to make any additional ſettlement of the *Militia*, with a general reference to the good of the Kingdoms reſpectively, we deſire the ſame may be done after the Peace eſtabliſhed, by the joynt conſent of His Majeſty and the two Houſes of Parliament in *England*, and His Majeſty and the Eſtates of the Parliament of *Scotland* reſpectively; and as we ſhall deſire and endeavour to remove all occaſions that may interrupt the Peace and Tranquillity of that Kingdom, and a perfect amity with them, and ſhall not deſire any change of, or to intermeddle in their Laws or Government, or give them cauſe to apprehend any diſturbance or violation of them from this Kingdom, ſo are we obliged with all tenderneſs to preſerve the Honour, Dignity, and Conſtitution of this Realm. And therefore as we are yet ſatisfied, we cannot conſent that any perſons authorized by the Eſtates of the Parliament of *Scotland*, or any advice from thence, ſhall have any influence upon the *Militia* of this Kingdom, or further interpoſe in the affairs of this Kingdom, then is already provided by the Act of Pacification. And we offer to your Lordſhips conſiderations, whether unleſs there could be an Union of the Laws of both Kingdoms, ſuch a mixture of Power, as is now propoſed, and the influence thereof, both upon Martial and Civil Affairs, may not prove very inconvenient and prejudicial to both Kingdoms, and give cauſe of Jealouſies to each other, to the diſturbance of that mutual Amity ſo much deſired; but if this intermingling of power in both Kingdoms, ſhall be further inſiſted on by your Lordſhips, we propound that the ſame may be ſettled, as (after a Peace eſtabliſhed) ſhall be agreed by the joynt conſent of His Majeſty, and both Houſes of Parliament of *England*, and of His Majeſty, and the Eſtates of the Parliament of *Scotland*, and if your Lordſhips ſhall inſiſt on any thing further for neceſſary ſecurity, we ſhall apply our ſelves to the conſideration thereof, if we ſhall have further time ſo to do, according to our deſires grounded upon His Majeſties Letter.

Their Paper, 17. Feb.

CXXIX.

'WE do conceive that we have in our former Papers punctually ſatisfied your Lordſhips in all you deſired to know, concerning the Powers of the Commiſſioners of both Kingdoms, and the other particulars mentioned by your Lordſhips; and what your Lordſhips now offer concerning the *Militia* of the Kingdom of *Scotland*, that the like courſe ſhall be taken in it, as is expreſſed in your Lordſhips Paper of the 6th. of *Feb.* to be obſerved for the *Militia* of this Kingdom; your Lordſhips may remember that in our anſwer to that Paper, we told your Lordſhips it was differing from what we had propoſed, and unſatisfactory to our juſt and neceſſary deſires for ſecuring the Peace of the Kingdoms, and it cannot be expected that what was ſo then for the Kingdom of *England*,

An. 1644

'*England*, ſhould now be thought other for the Kingdom of *Scotland*. And 'though both Kingdoms be now united in the ſame Cauſe, and labouring under 'the ſame Dangers, and therefore neceſſitated to a mutual and reciproca[l] aſſiſtance 'of each other, had propoſed a joynt remedy, and ſecurity by that Commiſſion de'fired in our 17th. Propoſition, we find your Lordſhips ſay, that (as yet you are 'ſatisfied) you cannot conſent unto it; to which we anſwer, that we believed we 'had given your Lordſhips ſuch convincing Reaſons as might have ſatisfied them, 'and we doubt not but they may, if you will recollect your Memories concerning 'them, and rightly weigh them. This being the laſt day we are to Treat upon 'this ſubject, it cannot be expected, and as we conceive, it is altogether needleſs, 'to uſe any more Arguments; we do therefore deſire your Lordſhips will be pleaſed 'ſed now at the laſt, to give us your full and poſitive anſwer to our demands, as 'we have often already preſſed your Lordſhips. And whereas your Lordſhips 'do propound, that if we ſhall further inſiſt upon the uniting of the Powers of 'both Kingdoms, it may be done after the Peace eſtabliſh'd, we deſire your Lord'ſhips to conſider that it is demanded by us in order to a Peace, and a chief and 'moſt neceſſary means for the attaining and eſtabliſhment of it. And we further 'obſerve, that your Lordſhips have given us no anſwer at all to our Fifteenth Pro'poſition; which we do likewiſe inſiſt upon, and deſire your anſwer.

The King's Commiſſioners Anſwer, 17. Feb.

CXXX. IF your Lordſhips had punctually, or in any degree ſatisfied us in what we de*ſire to know concerning* the powers of the Commiſſioners of both Kingdoms; and the other particulars mentioned by us, we had not troubled your Lordſhips with ſo many queſtions, to moſt of which we could receive no other anſwers, than the referring us to the Propoſitions themſelves, upon which we grounded our queſtions. And we conceive that your Lordſhips Propoſitions upon the *Militia*, upon which you ſtill inſiſt, have in truth appeared upon debate to be moſt unreaſonable in many particulars; as that the perſons to be entruſted with the *Militia*, ſhould be nominated only by the two Houſes, and that His Majeſty who is equally to be ſecured, that the peace ſhould not be broken, ſhould Name none: That the power given to the Commiſſioners, ſhall be framed and altered as occaſion ſerves by the two Houſes only; and that His Majeſty, who is ſo much concerned therein, ſhall have no Negative Voice, as to ſuch powers, but is abſolutely excluded, and that the time ſhould be unlimited: So that His Majeſty for himſelf and his poſterity, ſhould for ever part with their peculiar Regal power of being able to reſiſt their Enemies, or protect their good Subjects, and with that undoubted and never-denied Right of the Crown, to make War and Peace: And in no time to come, His Majeſty or his poſterity ſhould have power to aſſiſt their Allies with any ſupplies of Men, though Volunteers, or ever more to have any Juriſdiction over their own Navy or Fleet at Sea, and ſo conſequently muſt loſe all eſtimation and confidence with Foreign Princes. And many other expreſſions in the ſaid propoſitions, do either ſignifie what we find your Lordships do not expect, or intend, or at leaſt are ſo doubtful, that the clear ſenſe thereof is not evident to all underſtandings; as by the literal ſence of your propoſitions, neither the Sheriffs of Counties, or Juſtices of peace, and other legal Miniſters, may raiſe Forces by the *Poſſe Comitatus*, or otherwiſe to ſuppreſs Riots, and remove forcible Entries, or to perform the other neceſſary duties of their places, without being liable to the Interpretation of the Commiſſioners for the *Militia*, that ſuch Forces are raiſed, or Actions done, for the diſturbance of the publick peace; as likewiſe all Civil Actions and Differences may be comprehended within thoſe propoſitions to be tryed before the ſaid Commiſſioners; neither of which we believe your Lordships intend ſhould be.

And therefore we have in our Anſwers propoſed, what we thought would be agreeable to the matter and end of thoſe propoſitions, that is, a reaſonable and full ſecurity, for the obſervation of the Articles of the Treaty, which according to what we have offered, cannot be broken on either part, without evident prejudice and danger, to that part which ſhall endeavour the breaking thereof. And that the memory of theſe unhappy diſtractions may be forgotten as ſoon as may be, that the time of this ſettlement may be limited to three years, which, by the bleſſing of God, will be ſufficient to beget a good underſtanding between His Majeſty and all his people. And that the fifteen Propoſition, and all the other parts of your Lordſhips Propoſitions, being not at all neceſſary to the preſent Union and Reconciliation, may be deferred till after the Peace eſtabliſhed, to be ſettled by His Majeſty,

esty, and the two Houses of Parliament in *England*, and His Majesty, and the States of the Parliament in *Scotland* respectively. But if your Lordships shall not like this way of Nomination of persons to be Commissioners; or the other proposed likewise by us, in our paper of the 6th. of *February*, for the agreement of the Commissioners between your Lordships and us, to be equal, we shall gladly receive any more equal way from your Lordships, since it is apparent, that that already proposed by your Lordships, and which you insist upon *in Terminis*, is not fit to be consented to for the quiet and peace of the Kingdom, presuming that you will think the security ought to be mutual, as the Fears and Jealousies are mutual. And we are most confident, that His Majesty so much desires to give all reasonable and fit security on his part, that the agreement and peace to be now made, shall be inviolably observed: That as he will Name no Man for this great Trust, against whom there can be just exception, (if the persons are Named equally between him and you) so if the whole Nomination were left to him, he would pitch only upon such as both Kingdoms might have great cause to confide in, and we believe might give full satisfaction to your Lordships. And therefore we hope your Lordships will believe, that the reason we consent not to your Propositions, is, because we conceive them destructive to the end for which they are proposed, Justice, Peace, and Unity; and not that we deny, to consent to any reasonable security, for observance of the agreement to be made, of which we will always be most tender, with regard to all persons concerned.

This was the last Paper delivered in the last of the six days touching the *Militia*, but that being taken up again, in some part of the two last days of the Treaty, as those of *Religion* and *Ireland* also were, their Commissioners upon their breaking up of the Treaty, about Two of the Clock in the Morning, after the 22th of *February*, gave in a Paper intended for an answer to this Paper, which nevertheless relates to the paper here next following, delivered by them the 21st, of *February*, mentioning a limitation of time for seven years, and for that cause is herein set down after that Paper, and as their last of that subject; and the papers upon that Subject, delivered in the mean time, in the two last days, are these following.

Their Paper, 21. *Feb.*

CXXXI. *WHereas your Lordships have in several Papers much insisted, that the Commissioners mentioned in the 17th. Proposition, should be for a limited time, that your Lordships might better give a full Answer to our desire concerning the* Militia, *though we conceive the Reasons we have given, might have satisfied your Lordships for the time to be unlimited, yet to manifest our earnest desires of Peace, we propose to your Lordships, the time for the said Commissioners, to be for seven years, from the time of the passing the Act for the* Militia. *And that after the expiration of such term, the* Militia *of the Kingdom to be settled and exercised in such manner, as shall be agreed upon by His Majesty, and the two Houses of the Parliament of* England, *and by His Majesty and the Estates of the Parliament of* Scotland *respectively, and not otherwise.*

At the same time the *Scotch* Commissioners, from themselves apart, delivered in this Paper, signed by their own Secretary only, all the other papers being signed by two Secretaries, for the *English* and *Scotch* Commissioners.

21. *February.*

CXXXII. *WE the Commissioners of the Parliament of* Scotland, *do declare, that our consent to the Paper given in this day concerning the limitation of the power of the* Militia, *in Commissioners according to the 17th. Proposition, to continue for seven years, from the time of the passing of the Act for the* Militia; *and after the expiration of that term, to be settled in such manner as shall be agreed upon by His Majesty, and the two Houses of the Parliament of* England, *and by His Majesty, and the Estates of the Parliament of* Scotland *respectively, and not otherwise, is to be understood as followeth: That we will represent the same to the Estates of the Parliament of* Scotland, *or their Committees, to which we are confident they will assent, as that which is conceived to conduce to a happy agreement, and settling of a firm and blessed Peace.*

The

An. 1644.

The King's Commiſſioners Anſwer, 22. February.

CXXXIII. WE have hitherto conceived, that this Treaty hath been betwixt us that are appointed Commiſſioners by His Majeſty, and your Lordſhips, the Commiſſioners from the two Houſes of the Parliament of *England*, and your Lordſhips the Commiſſioners of the Parliament of *Scotland*, jointly and not ſeverally: But finding that your Lordſhips, the Commiſſioners of the Parliament of *Scotland*, have delivered to us a diſtinct paper, ſigned only by your Secretary, of the 20th. of *February*, concerning the *Militia*, and that not concurring with the other joint paper, delivered and ſubſcribed by both your Secretaries upon that ſubject the day: We deſire to know, whether the Commiſſioners of the Parliament of *Scotland* have a Negative Voice, or have not power to conclude, without farther power to be granted, from the Eſtates of the Parliament of *Scotland*, and expect in this Treaty to be ſeverally Treated with; and after your Lordſhips anſwer to this paper, we ſhall be able to give your Lordſhips a farther anſwer to your joint paper of the 20th. of *February*.

Their Paper, 22. Feb.

CXXXIV. 'THE Treaty is betwixt us that are the Commiſſioners of the Parliaments of 'both Kingdoms jointly, and not ſeverally; and your Lordſhips the Com-'miſſioners from His Majeſty, and the Commiſſioners of the Parliament of *Scot-'land*, did join with the Committees of the two Houſes of the Parliament of *Eng-'land*, in giving in the other joynt Paper concerning the *Militia*, delivered yeſter-'day, ſubſcribed by the Secretaries, but ſeeing it contains an alteration, limiting 'the time to ſeven years, which in the former Propoſitions agreed to by both 'Parliaments is indefinite: They did declare, that they are confident the Parlia-'ment of *Scotland* will aſſent thereto, and they have ſhewed your Lordſhips ſuf-'ficient power to conclude any thing by them agreed unto.

The King's Commiſſioners Paper, 22. Feb.

CXXXV. WE cannot reſt ſatisfied with your Lordſhips anſwer to our Paper delivered to you this day, concerning your Lordſhips the Commiſſioners of the Parliament of *Scotland*, it being indeed but a repetition of your Lordſhips Paper, and no anſwer to ours thereupon; and it being very neceſſary for us to know, whether the Commiſſioners of the Parliament of *Scotland* have a Negative Voice, and whether they have not power to conclude, without farther powers to be granted from the Eſtates of the Parliament of *Scotland*; upon the anſwer to which, we muſt the rather inſiſt, becauſe your Lordſhips laſt Paper gives the reaſon of the diſtinct Paper delivered to us, from the Commiſſioners of the Parliament of *Scotland* to be, becauſe the limitation of time now offered, differs from the Propoſitions agreed on by both Parliaments, in which the time is indefinite, which ſeems to us to intimate, that your Lordſhips, who are the Commiſſioners from the Parliament of *Scotland*, have not power to conſent to any alteration from the ſaid Propoſition, without firſt acquainting the Parliament of *Scotland*, although the other joynt paper, delivered upon that ſubject, be ſigned by both your Secretaries; and thereby it is evident, that it much concerns us to know, whether the ſaid Commiſſioners have a Negative Voice in this Treaty. For the matter of your Lordſhips paper concerning the limitation of time for the *Militia* to ſeven years, it is not poſſible, by reaſon of this ſhortneſs of time for the Treaty (it being Ten of the Clock this Night when your paper was delivered) to give your Lordſhips a full anſwer, it being neceſſary for us to receive ſatisfaction from your Lordſhips in Writing, or by Conference, whether by the Words, *And not otherwiſe*, your Lordſhips intend, that after the expiration of the time limited, His Majeſty ſhall not exerciſe the legal power, which he now hath over the Militia, before the ſame be agreed upon, by His Majeſty and the two Houſes of the Parliament of *England*, and by His Majeſty, and the Eſtates of the Parliament of *Scotland* reſpectively, for which reſolution and debate, we heartily wiſh the time were ſufficient, being very willing to give your Lordſhips all reaſonable ſatisfaction. And therefore we do propoſe to your Lordſhips, that if the Treaty may not now continue, it may be adjourned for ſuch time as you ſhall think fit, and not totally diſſolved, but again reſumed, which we propoſe as the beſt expedient now left

left us for the procuring of a bleſſed Peace, and by it, the preſervation of this now miſerable Kingdom from utter ruin and deſolation.

After this, about Two of the Clock the next Morning, they gave this paper following, which is here mentioned, to be delivered upon their breaking up the Treaty, and intended for an anſwer to the paper of the 17th. of *February*, No. 129.

Their Paper, 22. Feb.

CXXXVI.

'WE conceive, if your Lordſhips would weigh our Demands concerning the power of the Commiſſioners of both Kingdoms, you will be ſatisfied with our anſwers to your ſeveral Queſtions; where any doubts were of the expreſſions we did explain them, and where the Propoſitions were ſo clear, as they could bear no doubtful ſence, we did refer your Lordſhips to the Propoſitions themſelves. And we conceive our Demands concerning the *Militia*, to be moſt reaſonable, and all objections made againſt them to be by us removed; and why your Lordſhips ſhould inſiſt the Commiſſioners ſhould not be Nominated by the two Houſes only, and His Majeſty, who is to be equally ſecured, ſhould Name none, we much marvel at, when you may well conſider, this power was not to be exerciſed by the Commiſſioners, until a Peace had been concluded upon this Treaty, and then His Majeſty had been fully ſecured by the Laws of the Kingdom, and by the Duties and Affections of his Subjects, neither could the Commiſſioners do any thing in violation of the peace, to the prejudice of His Majeſty, contrary to the Truſt repoſed in them, they having a rule preſcribed which they were not to tranſgreſs, and being removable by both Houſes of the *Parliament* of *England*, and the Eſtates of the Parliament of *Scotland* reſpectively, and being liable for any miſcarriage to ſevere puniſhment And as for their ſecurity who have been with His Majeſty in this War, an Act of Oblivion is deſired to be paſſed, whereby all His Majeſties Subjects in both Kingdoms would have been put in one and the ſame condition, and under the ſame protection, with ſome exceptions mentioned in thoſe propoſitions; and if the Commiſſioners had been ſeverally choſen, the memory of theſe unnatural Diviſions muſt needs have been continued, and probably being ſeverally Named, would have acted dividedly according to ſeveral intereſts, and the War thereby might be more eaſily revived, whereas the ſcope of the propoſitions we have tendred, was to take away occaſions of future differences, to prevent the raiſing of Arms, and to ſettle a firm and durable peace. And to your Lordſhips objections, that the Commiſſioners were to continue without any limitation of time, although the reaſonableneſs thereof hath been ſufficiently manifeſted to your Lordſhips, yet out of moſt earneſt deſires of peace, we have propoſed to your Lordſhips a time of ſeven years, as is expreſſed in our paper delivered to your Lordſhips the 21ſt. of this inſtant.

'And for the peculiar Royal power which your Lordſhips mention to reſide in His Majeſty, concerning the Militia, and to make Peace and War, we cannot admit thereof, or that it is otherwiſe exerciſed than by Authority from His Majeſty and both Houſes of Parliament of *England*, and the Eſtates of the Parliament of *Scotland* reſpectively: Neither are the Commiſſioners to have power to make Peace or War, but that is referred to the 23d. propoſition to be treated upon in due time.

'And for the Navy and Fleet at Sea, the principal means to maintain them, is, to be raiſed by the free gift of the Subjects out of Tonnage and Poundage, and other payments upon Merchandiſe, and the Navy and Fleet being a principal means of our ſecurity, the reaſons are the ſame for them as for the Militia by Land.

'And for what your Lordſhips alledge concerning Sheriffs, and Juſtices of Peace, and other legal Miniſters, not to raiſe the *Poſſe Comitatus*, or Forces to ſuppreſs Riots, without being liable to the Interpretation of the Commiſſioners; we ſay this is no part of the Militia to be exerciſed by the Commiſſioners, but in executing of Juſtice and legal Proceſs, nor can be intended to be any diſturbance, but for the preſervation of the peace; nor can their power of hearing and determining Civil Actions and Differences, be extended further than preſervation of the Articles of the peace to be made, and as is clearly and plainly expreſt in the 27th. propoſition.

'And

An. 1644.

'And whereas we ſeek the Militia to be ſettled in the 15th. Propoſition, and 'the other parts of our Propoſitions in order to, and for procuring of Peace, 'and which are neceſſary to a preſent Union, your Lordſhips defer them until 'the Peace ſhall be eſtabliſhed, which delay we hope, upon ſecond thoughts, 'your Lordſhips will not judge to be reaſonable.

'And when your Lordſhips do take into ſerious conſideration, the great Cala-'mities, and how occaſioned, (to ſay no more) you cannot think but that we 'ought to be moſt careful of preventing the like for the future.

'And ſeeing all we deſire for theſe ſo important ends, is limited to a few 'years, we ought to inſiſt upon ſuch a remedy as may be a fitting cure; and 'in ſo doing, we hope we ſhall be juſtified before God and Man.

'Wherefore we again moſt earneſtly deſire your Lordſhips, as you tender the 'deplorable Eſtates of theſe bleeding Kingdoms, the ſettling of Religion, the 'Honour of his Majeſty, and the compoſing theſe miſerable Diſtractions, that 'your Lordſhips will give your full and clear Anſwer to our Demands concerning 'the Militia.

This laſt Paper was delivered about Two of the Clock, when the Treaty was at that inſtant breaking up, and at the ſame time the King's Commiſſioners had (upon the like occaſion of two papers of theirs, given in a little before, concerning *Ireland*, hereafter mentioned) delivered in a paper, *No.* 179. that they might give anſwer thereto the next day, dated as of that day, as had been formerly uſed, which was not granted; ſo that in anſwer to this paper, ſo earneſtly requiring an anſwer in the Cloſe thereof, it was impoſſible to give in any paper at the preſent, neither would any be received, but at preſent.

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The Papers touching *Ireland.*

After the first six days of the Treaty, spent upon Religion, and the Militia, according to the same order formerly proposed, the Propositions concerning Ireland *were next treated upon, the three days following, beginning the 7th. of* February; *and the same was also taken up again the* 18*th. of* February, *for other three days.*

Their Propositions touching Ireland, 7. February.

CXXXVI. ‘WE desire that an Act of Parliament be passed, to make void the Cessation of *Ireland*, and all Treaties with the Rebels, without consent of both Houses of Parliament, and to settle the prosecution of the War of *Ireland*, in both Houses of the Parliament of *England*, to be managed by the joint advice of both Kingdoms, and His Majesty to assist, and to do no Act to discountenance, or molest them therein.

The King's Commissioners Paper, 7. Feb.

CXXXVII. WE desire to know, whether the paper we have received from your Lordships, contain in it all the demands your Lordships are required by your Instructions to insist upon concerning *Ireland*, which if it doth, we are ready to enter upon that debate, but if it do not, we then desire to receive all the Propositions your Lordships intend to make concerning *Ireland* together, being confident that upon a whole view of the business, we shall give you full satisfaction in that Argument.

Their Paper, 7. Feb.

CXXXVIII. ‘WE are to insist upon other things concerning *Ireland*, which being part of other Propositions, we conceive not so proper to give your Lordships, till we have received your answer, to our paper formerly delivered, and are ready by present Conference, to satisfie any doubts that remain with your Lordships concerning that Paper.

Notwithstanding, they delivered in these further Papers and Propositions following.

Their Paper, 7. Feb.

CXXXIX. ‘WE desire that an Act be passed in the Parliament of both Kingdoms respectively, to confirm the Treaty concerning *Ireland*, of the 6th. of *August*, 1642. (which Treaty we herewith deliver) and that all persons who have had any hand in plotting, designing, or assisting the Rebellion of *Ireland*, may expect no pardon, and their Estates to pay publick Debts and Damages. And that the Commissioners to be Nominated as is appointed in the 17th. Proposition, may order the War of *Ireland*, according to the Ordinance of the 11th. of *April*, 1644. (which we herewith deliver) and to order the Militia, and to conserve the Peace of the Kingdom of *Ireland*.

An. 1644

'And that by Act of Parliament, the Deputy, or chief Governour, c[illegible] 'Governours of *Ireland*, be Nominated by both Houses of the Parliam[illegible] '*England*, or in the intervals of Parliament by the said Commissioners, to [illegible] 'nue during the pleasure of the said Houses; or in the intervals of Parliame[illegible] 'ring the pleasure of the said Commissioners to be approved, or disallow[illegible] 'both Houses at their next Sitting; and that the Judges of both Benches, [illegible] 'the Exchequer in *Ireland*, be Nominated by both Houses of Parliament, t[illegible] 'tinue *Quam diu se bene gesserint*, and in the intervals of Parliament, [illegible] 'aforesaid Commissioners to be approved, or disallowed by both Houses a[illegible] 'next Sitting.

Together with these last propositions, they delivered the Treaty of the 6[illegible] *August*, 1644. and the Ordinance of the 11th. of *April* therein mentioned, [illegible] ther with another of the 9th. of *March*; which see in the Appendix, N[illegible] & 8.

The King's Commissioners Paper, 9. Feb.

CXL. * No. 136.

WE desire to know what your Lordships intend, or expect, by those w[illegible] in your * first paper concerning *Ireland*, (*and His Majesty to assist*) [illegible] you propose to have the prosecution of the War of *Ireland*, to be settled in both Houses of the Parliament of *England*, to be managed by the joint advice of both Kingdoms.

Their Answer, 9. Feb.

CXLI.

'BY the words in our paper concerning *Ireland* [*and His Majesty to assist*] we 'conceive is to be understood, the giving of his Royal Assent to such Acts of 'Parliament, as shall be presented unto him by both Houses, for raising of Monies 'from the Subject, and for other things necessary to the prosecution of the War in '*Ireland*, and to be further aiding by his power and countenance, in whatsoever 'shall be requisite for the better carrying on of that War.

The King's Commissioners Paper, 10. Feb.

CXLII.

WE conceive that His Majesty had, and hath power, to make a Cessation in *Ireland*, and having upon just grounds, and for the good and safety of his Protestant Subjects there, and for the preservation of that whole Kingdom, consented to such a Cessation, we desire to be informed by your Lordships, how that Cessation can be declared void, without a breach of Faith and Honour in His Majesty? And we are ready by Conference particularly to inform your Lordships, of the Motives which induced His Majesty to consent to that Cessation.

Their Answer, 10. *Feb.*

CXLIII.

WE conceive that His Majesty had not power to make the Cessation in Ireland, *nor had any just grounds to do the same, and therefore we insist, as in our former Paper, that an Act of Parliament be passed to make void the Cessation of* Ireland, *and conceive that His Majesty is bound in Honour and in Justice to consent unto the same, and we are ready to confer with your Lordships as is desired, and to receive your Lordships full answer to this, and the other particulars, expressed in our Paper concerning* Ireland.

After long debates in Conference, which spent the greatest part of the day, touching the Motives of that Cessation, and the King's power to make it, His Majesties Commissioners delivered in this Paper.

14. *Feb.*

CXLIV.

WE have received no satisfaction, or information, in your Lordships debate, to alter our opinions of His Majesties power, to make the Cessation in *Ireland*; and having carefully perused and considered the Statute alledged by your Lordships, we cannot find any particular clause in that Statute, neither have your Lordships mentioned any, (though often desired by us so to do) whereby His Majesties power to make a Cessation there is taken away; and therefore we are still

20 Caroli.

ſtill of opinion, that His Majeſty had full power to make and conſent to that Ceſſation; and we conceive that we have given your Lordſhips an account of very juſt grounds to induce His Majeſty to do the ſame, it appearing to His Majeſty by the Letters and Advice from the Lords Juſtices, and Councel of that Kingdom, and of the Officers of His Majeſties Army there (which we have read to your Lordſhips, and of which Letters and Advices we now give * Copies to your Lordſhips) that His Majeſties good Proteſtant Subjects of that Kingdom, were in imminent danger to be Over-run by the Rebels, and his Army to be Disbanded for want of neceſſary Supplies, and that there was no ſuch probable way for their preſervation, as by making a Ceſſation: Neither have your Lordſhips given us any ſatisfying reaſons againſt the making the ſaid Ceſſation, or made it appear to us, that that Kingdom could have been preſerved without a Ceſſation, and therefore we cannot apprehend how His Majeſty can, with Juſtice and Honour, declare the ſame to be void.

* *Copies of the Letters and Advices were accordingly delivered.*

We ſhall be ready, againſt the next time aſſigned for the Treaty touching *Ireland*, to give your Lordſhips a further anſwer to your Propoſitions concerning that Argument, the Treaty concerning *Ireland* of the 6th. of *Auguſt*, 1642. and the Ordinance of the 11th. of *April*, 1644. (which we did never ſee till your Lordſhips delivered us Copies of them) making ſo great an alteration in the Government there, that we cannot be prepared for the preſent to make a full anſwer to thoſe Propoſitions.

Their Anſwer, 10. *Feb.*

CXLV.

IT is very contrary to our expectation to find your Lordſhips unſatisfied, after thoſe Arguments and Reaſons alledged by us, that His Majeſty had not power to make the Ceſſation with the Rebels in Ireland, *and that upon the peruſal of the Statutes, it appears not to you, that His Majeſty had no power to make that Ceſſation; it is ſtrange to us your Lordſhips ſhould forget all the other Arguments uſed by us from the Common Law, from other proceedings in Parliament, and circumſtances as this caſe ſtands, on which we ſtill inſiſt, and do affirm, that His Majeſty had no power to make or conſent to that Ceſſation; we do not ſee any juſt grounds in the Copies of the Letters, given us by your Lordſhips, for His Majeſties aſſenting to the Ceſſation, nor do we know by whom thoſe Letters were written; we are therefore ſtill clearly of Opinion, notwithſtanding all your Lordſhips have alledged, that it was unfit for His Majeſty to agree unto that Ceſſation, being deſtructive to his good Subjects, and to the Proteſtant Religion there, and only for the advantage of the Popiſh Rebels, to the high diſhonour of God, the Diſſervice of His Majeſty, and evident prejudice of his three Kingdoms. We therefore again deſire your Lordſhips full anſwer to what we have delivered to you concerning* Ireland.

The King's Commiſſioners Paper, 10. Feb.

CXLVI.

WE have given your Lordſhips our reaſons, why we are not ſatisfied with your Arguments, that His Majeſty had not power to make the Ceſſation; and as upon the peruſal of the Statute, we can find no ground for that Opinion, ſo your Lordſhips in your whole debate, have not inſiſted or mentioned one clauſe in that Statute (though often deſired) which makes it good, neither have your Lordſhips given us any Argument from the Common-Law, other, than by telling us, *That it is againſt the Common-Law, becauſe the private Intereſt of the Subſcribers for Money was concerned in it*; to which we give this Anſwer, That their Intereſt was conditional, upon payment of their Moneys for the maintenance of the War, which was not performed: And that if they had paid their Moneys, yet this Ceſſation was rather for the advance of that Intereſt, there being (as it appears by the * Papers) no other viſible means of preſervation of the Army in *Ireland*, and that the Statute which gave that private Intereſt, doth not take away the Kings power of making a Ceſſation; and we conceive that Argument of Intereſt was waved: But if your Lordſhips ſhall inſiſt upon it, we again deſire, as we did formerly, That a Caſe may be made of it, and that the debate may be again reſumed. Neither do we know that any Argument was uſed by your Lordſhips from the proceedings in Parliament; and if you ſhall give any, we ſhall be ready to anſwer it. And we conceive, that the Advice given to His Majeſty, from the Lords Juſtices and Councel of *Ireland*, and the Teſtimony of the Officers of the Army, expreſſing the miſerable condition of that Kingdom, and inability to bear the War,

See the late Statute concerning the Adventurers for Iriſh *Lands.*

* *See the Letters and Advices in the Appendix, No. 9.*

An. 1644.

ſhould appear to your Lordſhips to be juſt grounds, for His Majeſties aſſenting to the Ceſſation. One of the Letters delivered by us to your Lordſhips, bearing date the 4th. of *April*, 1643. was ſent by the Lords Juſtices and Councel of *Ireland*, to Mr. Secretary *Nicholas*, in which was incloſed their Letter to the Speaker of the Houſe of Commons, of which your Lordſhips have likewiſe an Extract, and a Remonſtrance of the Officers of the Army to the Lords Juſtices and Councel there; and the other Letter of the 5th. of *May*, 1643. to His Majeſty, was from the Lords Juſtices and Councel of that Kingdom: All which, (if your Lordſhips pleaſe) ſhall be examined by you with the Originals; and we are therefore of opinion, that our Anſwer formerly delivered, is a good Anſwer to the point of Ceſſation in queſtion, and that it was not unfit for His Majeſty to agree to that Ceſſation, nor deſtructive to the Proteſtant Religion, nor for the advantage of the Popiſh Rebels, but much for the advantage of the Proteſtant Subjects there, who were in apparent hazard of deſtruction by Force and Famine, occaſioned by the want of Supplies, which had been promiſed to them, as we have formerly ſaid. And we ſhall give your Lordſhips a further Anſwer to your other Propoſitions concerning *Ireland*, when the time comes again for that Debate.

Here ended the firſt three Days of the Treaty concerning *Ireland*, and the Night before the return of the next three Days, their Commiſſioners delivered this Paper.

17. *February.*

CXLVII. *WE conceived that the Arguments uſed by us, that His Majeſty neither had, or hath power to make the Ceſſation with the Rebels of* Ireland, *might have fully ſatisfied your Lordſhips, and if any doubts yet remain, we are ready by Conference to clear them. Your Lordſhips may well call to mind the ſeveral Clauſes we inſiſted upon in the Statute, and the Arguments we have given from the Common-Law, and other proceedings in Parliament: And we do affirm that ſeveral great Sums of Money were paid by particular Perſons, and by Corporations, who according to the true intent of the Statute, ought to have the benefit of the ſame, according to divers other Acts of Parliament in purſuance thereof; and upon failure of payment by any particular Perſons, the forfeiture was to accrue to the common benefit of the reſt, not failing; and we do deny that the Argument of Intereſt was at all waved by us. And we conceive thoſe wants alledged by your Lordſhips (if any ſuch were) in juſtifying the Ceſſation, were ſupplied from time to time by the Houſes of Parliament, until His Majeſties Forces were ſo Quartered in and about the common Roads to* Ireland, *that Proviſions going thither were intercepted, and neither their Money, Clothes, Victuals, or other things, could paſs by Land, with ſafety to be tranſported. And when that both Houſes of Parliament were deſirous further to ſupply thoſe Wants, and for that purpoſe did tender a Bill to His Majeſty, It was refuſed. And we ſtill alledge that we have no reaſon to be ſatisfied concerning the Ceſſation by any Arguments uſed by your Lordſhips, or by any thing contained in the Extracts of the Letters and Papers delivered to us to your Lordſhips, as from the Lords Juſtices and Councel of* Ireland, *and the Officers of the Army, nor (though deſired by us) have your Lordſhips afforded us Liberty to compare thoſe Extracts with the Originals, whereby we might have the Names of the perſons by whom they were written, which we now again deſire. We are therefore ſtill clearly of Opinion, as is expreſſed in our former Paper of the* 10th. *of* February, *concerning the Ceſſation, and do deſire your Lordſhips full Anſwer to our Demands concerning* Ireland.

The King's Commiſſioners Anſwer, 18. Feb.

CXLVIII. WE did not conceive that your Lordſhips had believed that any Arguments uſed by you could ſatisfie us againſt His Majeſties Power to make a Ceſſation with the Rebels in *Ireland*, which appears to have been made by him, by the Advice of his Councel there, and for the preſervation of His Majeſties Proteſtant Subjects of that Kingdom, who in all probability would have periſhed by Famine and the Sword, if that Ceſſation had not been made: And we ſhall be very ready to receive farther Information from your Lordſhips by Conference, or otherwiſe, in that particular, either concerning any Clauſes in the Statute, or Arguments at Common-Law, or proceedings of Parliament (your Lordſhips having never mentioned the one, or made any Caſe upon the other) upon which you intend to inſiſt.

20 *Caroli.*

inſiſt. And for the ſeveral great Sums of Money that were paid by particular Perſons and Corporations, upon that Statute mentioned by your Lordſhips, we are ſorry that we are compelled by your Lordſhips inſiſting thereon, to inform your Lordſhips, that His Majeſty had clear information, that not only much of the Money raiſed by the Act for the 400 thouſand pound, which was paſſed, for the better ſuppreſſing that moſt wicked and execrable Rebellion in *Ireland*, and for the payment of the Debts of this Kingdom, but alſo of the Money raiſed by the ſtatute (on which your Lordſhips inſiſt) for the ſpeedy and effectual reducing of the Rebels of *Ireland*, &c. and other Monies raiſed by Contribution and Loan, for the Relief of His Majeſties diſtreſſed Subjects of that Kingdom, were expended contrary to the intent of the Acts by which the ſame were levied, and of the perſons who lent and contributed the ſame, towards the maintenance of the Forces in this Kingdom, under the Command of the Earl of *Eſſex*; and that many Regiments of Horſe and Foot, levied for the War of *Ireland*, under the Command of the Lord *Wharton*, the Lord *Kerry*, Sir *Faithful Forteſcue*, and others, were likewiſe imployed in that Army under the Earl of *Eſſex*, at *Edge-Hill*, and therefore His Majeſty refuſed to conſent to the Bill, preſented to His Majeſty after this, for the Levying more Money for *Ireland*, juſtly fearing, that the ſame might be uſed, as the former had been: And for the few Clothes (for there were no Monies) intercepted by His Majeſties Souldiers, in His Majeſties Quarters, which are ſaid to be intended for *Ireland*, the ſame were intercepted near *Coventry*, and going thither, after that City had refuſed to receive His Majeſty, though at the Gates. But His Majeſty never refuſed to give any ſafe Paſs through his Quarters, for any Goods or Proviſions which were intended or prepared for *Ireland*, neither was the ſame ever deſired; for the Extracts and Copies of the Letters delivered by us to your Lordſhips, from the Lords Juſtices and Councel of *Ireland*, and the Officers of the Army, we have been, and are willing that your Lordſhips ſhould compare them with the Originals: But for your having the Names of the Perſons who Writ the ſame, (ſince there can be no doubt of the truth of our Aſſertions) we conceive it not reaſonable to deſire the ſame, not knowing what inconvenience any of them (ſince you ſeem not to like that advice) might incur, if at any time they ſhould be found within your Quarters. And having now ſatisfied your Lordſhips in the matter of the Ceſſation, we ſhall gladly proceed in the Treaty with your Lordſhips, upon any thing that may be apparently good for His Majeſties Proteſtant Subjects there, and the reſettling of that Kingdom in His Majeſties Obedience.

Their Reply, 18. *Feb.*

CXLIX. *WE do conceive, that the Arguments uſed by us, might have fully ſatisfied your Lordſhips, againſt His Majeſties power to make a Ceſſation with the Rebels in* Ireland, *having anſwered whatſoever your Lordſhips have hitherto alledged to the contrary, and offered, if any other doubts yet remain, by Conference to clear them, which ſtill we are ready to do; and we have heard nothing juſt, or reaſonable, for that Ceſſation. It will be made evident, that the Neceſſities, which by your Lordſhips were made excuſes for the Ceſſation, were created on purpoſe to colour the ſame, and we are compelled by your Lordſhips Paper to let you know, that the Committees of Parliament ſent into* Ireland, *to endeavour to ſupply their Neceſſities, were diſcountenanced by the principal Inſtruments for that Ceſſation, and when they had taken up 2000 l. upon their perſonal ſecurity for the Army there, they were preſently after commanded from the Councel, by a Letter brought thither from His Majeſty, by the Lord* Ormonds *Secretary; and when the Officers of the Army were contented to ſubſcribe for Land, in ſatisfaction of their Arrears, it was declared from His Majeſty, that he diſapproved of ſuch Subſcriptions, whereby that courſe was diverted. And we do affirm, that whatever ſums of Money raiſed for* Ireland, *were made uſe of by both Houſes of Parliament, were fully ſatisfied with advantage, and as we are informed, before the Bill mentioned in our former Paper was refuſed by His Majeſty: And for the Regiments of Horſe and Foot mentioned by your Lordſhips, to be raiſed for* Ireland, *and imployed otherwiſe by the Houſes of Parliament. It is true, that Forces were ſo deſigned, and when the Money, Arms, and other Proviſions, were all ready, and nothing wanting but a Commiſſion from His Majeſty, for the Lord* Wharton, *who was to Command them, the ſame could not be obtained, which was the cauſe thoſe Forces did not go thither; and when twelve Ships, and ſix Pinaces were prepared with One Thouſand, or more, Land Forces, for the ſervice of* Ireland, *and nothing deſired but*

An. 1644. *but a Commiſſion from His Majeſty, the Ships lying ready, and ſtaying for the ſame, were three Weeks together at* 300 l. *a day charge, yet the ſame was denied, though often deſired. And where your Lordſhips ſeem to imply, that the proviſions ſeized by the Majeſties Forces, were going for* Coventry, *it was made known to His Majeſty, that the ſame were for* Ireland. *And your Lordſhips muſt needs conceive (that the Papers you delivered to us, being but Extracts, and for that you deny us, ſo to compare them with the Originals, as to have the Names of the Perſons, by whom they were Written) it is altogether unreaſonable for us to give any credit to them, it being manifeſt by this and our former Papers and Debates, that the Ceſſation with the Rebels in* Ireland *is both unjuſt and unlawful: We therefore inſiſt on our Demands concerning* Ireland, *as apparently good for His Majeſties Subjects there, and for reducing that Kingdom to His Majeſties Obedience.*

Before His Majeſties Commiſſioners gave anſwer to this laſt Paper, they being alſo to anſwer the reſt of the demands concerning *Ireland*, for their neceſſary Information, touching ſome doubts that did ariſe upon thoſe demands, and the Articles of the Treaty, of the 6th. of *Auguſt*, concerning *Ireland*, and Ordinances delivered with them, the King's Commiſſioners gave in theſe ſeveral Papers.

The King's Commiſſioners firſt Paper, 19. Feb.

CL. IN the eighth Article of the Treaty, for the coming of the *Scots* Army into *England*, dated 29. *Nov.* 1643. at *Edenburgh*, delivered to us by your Lordſhips, among the Papers for *Ireland*, and deſired by the 12th. Propoſition, to be confirmed by Act of Parliament: *It is agreed that no Ceſſation, nor any Pacification or Agreement for Peace whatſoever, ſhall be made by either Kingdom, without the mutual Advice and Conſent of both Kingdoms, or the Committees in that behalf appointed, who are to have full power for the ſame, in caſe the Houſes of the Parliament of* England, *or the Parliament, or Convention of Eſtates of* Scotland, *ſhall not ſit.* We deſire to know whether that Article extend to any Ceſſation, Pacification, or Agreement in *Ireland.*

The Anſwer, 19. *Feb.*

CLI. WE *did, in anſwer to your Lordſhips Paper of the 1ſt. of* February, *upon the Propoſitions concerning Religion, deliver the Treaty of the 29th. of* November, 1643. *mentioned by your Lordſhips, and not among the Papers for* Ireland, *to which it hath no relation.*

The King's Commiſſioners Reply, 20. Feb.

CLII. YOur Lordſhips did deliver the Treaty of the 29th. of *November*, 1642. to us, with the Papers concerning *Ireland*, and on the 7th. day of this inſtant *February*, and not upon the 1ſt. of *February*, upon the Propoſitions concerning Religion.

Their Anſwer, 20. *Feb.*

CLIII. WHen *your Lordſhips peruſe your Papers, you will reſt ſatisfied with our Anſwer of the 19th. of this inſtant, to your firſt Paper that day given to us, for it will appear by your Lordſhips third Paper of the* 1. February, *and our Paper given to your Lordſhips in anſwer of it, that the Treaty of the date at* Edenburgh, 29. Nov. 1643. *was delivered to your Lordſhips on the* 1. Feb. *upon the Propoſition of Religion, and not upon the* 3. Feb. *with the Papers concerning* Ireland.

The Article of the Treaty of the 29. *Novemb.* 1643. which occaſioned theſe Papers, being by their Papers thus acknowledged not to concern *Ireland*, and ſo not pertinent to that ſubject, the Kings Commiſſioners inſiſted no farther.

The Kings Commiſſioners ſecond Paper, 19. Feb.

CLIV. BY the 13th. Propoſition it is demanded, that an Act be paſſed to ſettle the propoſition of the War of *Ireland*, in both Houſes of Parliament of *England*, to be managed by the joint advices of both Kingdoms. We deſire to know, Whether if the two Kingdoms ſhall not agree in their advice touching that War, each have a Negative Voice, or whether the *Scots* Commander in chief of the Forces in *Ireland*, may manage that War in ſuch caſe, according to his own diſcretion?

Their

20 *Caroli.*

Their Anſwer, 19. *Feb.*

CLV. *IN anſwer to your Lordſhips ſecond Paper, the proſecution of the War of* Ireland, *is to be ſetled in the two Houſes of the Parliament of* England, *but is to be managed by a joynt Committee of both Kingdoms, wherein the Committee of each Kingdom hath a Negative Voice; but in caſe of diſagreement, the Houſes of Parliament of* England, *may proſecute the War as they ſhall think fit, obſerving the Treaty of the ſixth of* Auguſt, 1642. *between the two Houſes, and the Eſtates of the Parliament of* Scotland, *and the Ordinance of the Eleventh of* April, 1644. *delivered to your Lordſhips formerly.*

The Kings Commiſſioners third paper, 19. *Feb.*

CLVI. BY the Twentieth Propoſition, in the intervals of Parliament, the Commiſſioners for the *Militia*, have power to nominate the Lord Deputy of *Ireland*, and other Officers and Judges there. We deſire to know, whether that power be limited to the Commiſſioners of both Kingdoms, or only to the Commiſſioners for *England*, and whether in ſuch caſes the Commiſſioners of *Scotland*, ſhall Vote as ſingle Perſons.

Their Anſwer, 19. *Feb.*

CLVII. *THE power of the Commiſſioners, in the Intervals of Parliament, to nominate the Lord Deputy of* Ireland, *and other Officers and Judges there, mentioned in the 20th. Propoſition, being no matters of joynt concernments, is to be limited to the Commiſſioners for the Parliament of* England, *wherein the Commiſſioners of* Scotland *are to Vote as ſingle perſons.*

The Kings Commiſſioners fourth paper, 19. *Feb.*

CLVIII. THE Articles of the Treaty of the ſixth of *Auguſt*, giving power to the Lieutenant of *Ireland* (when the *Scottiſh* Army ſhall be joyned with his Army) to give Inſtructions to the *Scottiſh* Commander in chief, and the Orders of the two Houſes of the Ninth of *March*, 1644. and the Eleventh of *April*, 1644. appointing the General of the *Scottiſh* Forces in *Ireland*, to command in chief, over all the Forces, as well *Britiſh* as *Scots*, and both being deſired to be enacted. We deſire to know, whether the Lieutenant of *Ireland* ſhall command the *Scots* Forces, or whether the *Scottiſh* General, ſhall command all Forces, both *Britiſh* and *Scots*?

See all theſe in the Appendix.

Their Anſwer, 19. Feb.

CLIX. *IN Anſwer to your Lordſhips fourth Paper, we ſay, That the Ordinances of the Ninth of* March, *and Eleventh of* April, 1644. *were made when there was no Lieutenant of* Ireland, *and when a Lieutenant ſhall be made, with the approbation of both Houſes, according to our former Demands in the Seventeenth and Twentieth Propoſitions, it will be a fitting time to give further Anſwer to your Lordſhips.*

The King's Commiſſioners Reply, 20. *Feb.*

CLX. WE deſire a full anſwer from your Lordſhips, to our fourth Paper, delivered to your Lordſhips yeſterday, concerning the Power of the Lord Lieutenant of *Ireland*, and the General of the *Scots* Forces, your Lordſhips having propoſed to us that the Articles of the Treaty, and the Ordinance of the Eleventh of *April*, be Enacted by His Majeſty; by one of which the General of the *Scotch* Forces is to receive Inſtructions for the managing the War there from the Lieutenant of *Ireland*; and by the other (which is the latter) the General of the *Scots* Forces is to command in Chief, both the *Britiſh* and *Scots* Forces, by which it ſeems the Lieutenant of that Kingdom is to have no power in the proſecution of that War.

Their

An. 1644

Their Anſwer, 20. Feb.

CLXI. 'WE do inſiſt upon our former Papers, that the profeſſion of the Weſt in *Ireland*, is to be ſetled in both Houſes of Parliament, and is to be managed by the joynt advice of both Kingdoms, as in thoſe Papers is ſet down; and when a Lieutenant of *Ireland* ſhall be appointed, as is expreſſed in the Propoſitions, and it ſhall be neceſſary for the good of the ſervice, that he and the Commander in Chief of the *Scottiſh* Army join; The Commander of the Scottiſh Army ſhall receive Inſtructions from the Lord Lieutenant or Deputy, or other who ſhall have the Chief Government of that Kingdom for the time, according to the Orders which ſhall be given by the Commiſſioners of both Kingdoms.

The Kings Commiſſioners fifth Paper, 19. Feb.

CLXII. THE laſt part of the Seventeenth Propoſition gives power to our Commiſſioners for the *Militia* of both Kingdoms, as a joynt Committee to order the War of *Ireland*, according to the Ordinance of the Eleventh of *April*, and to order the *Militia*, and conſerve the peace of the Kingdom of *Ireland*, and by that of the Eleventh of *April*, the Earl of *Leven* being appointed Commander in Chief over all the Forces, as well *Britiſh* as *Scots*: We deſire to know, whether he ſhall be ſubordinate to thoſe Commiſſioners for the *Militia*, and be obliged to obſerve ſuch orders as he ſhall receive from them.

Their Anſwer, 19. *February*.

CLXIII. 'THe Commiſſioners of the *Militia* deſired by the Seventeenth Propoſition, are to order the War of *Ireland*, according to the Ordinance of the Eleventh of *April*, and the Earl of *Leven* being by that Ordinance Commander in Chief of the Forces there, is obliged to obſerve ſuch Orders, as he ſhall receive from thoſe Commiſſioners.

Their Commiſſioners likewiſe the ſame Nineteenth of *February*, delivered in ſome papers of Demands on their part.

Their Demands, 19. *Feb.*

CLXIV. WE *deſire that no Ceſſation of Arms, or Peace in* Ireland *may be Treated upon, or concluded, without conſent of both Houſes of Parliament of* England.

Another, 19. *February*.

CLXV. WE *deſire to know, whether any Peace or Ceſſation of Arms in* Ireland, *be conſented unto by His Majeſty, and for what time, and whether any Commiſſion be now on foot, or other authority given by His Majeſty for that purpoſe.*

The Kings Commiſſioners Anſwer to both, 20. February.

CLXVI. TO your Lordſhips * ſixth and ſeventh papers delivered to us yeſterday concerning any Peace or Ceſſation of Arms in *Ireland*, your Lordſhips well know that long after the War begun in this Kingdom, and the want of a ſupply from hence, that a Ceſſation hath been made with His Majeſties conſent, and we conceive that the ſame expires in *March* next, and we are confident there is no Peace made there: But for the making a Peace, or a farther Ceſſation, we can give no farther anſwer till we may know, whether there may be a bleſſed Peace made in *England*, ſince if the Miſerable Civil Wars ſhall continue in this Kingdom, we cannot conceive it poſſible for His Majeſty by Force to reduce the Kingdom of *Ireland*, or to preſerve His Proteſtant Subjects there, without a Peace or Ceſſation.

* *Which were the two next precedent Papers.*

Their

20 Caroli.

Their Reply, 20. *February.*

CLXVII.

"WE conceive your Lordſhips have given no anſwer to us, whether any Commiſſion be now on foot, or other authority given by his Majeſty for any Peace, or Ceſſation of Arms in *Ireland*, other then that which determines in *March* next, nor to our deſire that no Ceſſation of Arms, or peace in *Ireland*, may be Treated upon, or concluded, without conſent of both Houſes of the Parliament of *England*; nor do we underſtand why your Lordſhips ſhould delay your anſwer herein till the peace in *England* be concluded, ſince it hath been ſo clearly manifeſted to your Lordſhips, by the true meaning of the Act paſſed by His Majeſty this Parliament, that His Majeſty can make no peace nor ceſſation without the conſent of the two Houſes, and that your Lordſhips ſatisfactory anſwer to this: and our other Demands concerning *Ireland*, will much conduce to the ſettling the peace of this Kingdom, we therefore again deſire your Lordſhips full and clear anſwer to the particulars expreſſed in our ſixth and ſeventh Papers, yeſterday delivered to your Lordſhips."

The Kings Commiſſioners Paper, 20. Feb.

CLXVIII.

WE do not hold our ſelves any ways obliged to anſwer your Lordſhips demand, whether any Commiſſion be on foot, on other authority from His Majeſty, for a peace or ceſſation of Arms in *Ireland*, (that queſtion not ariſing upon any propoſitions on His Majeſties part) yet for your Lordſhips ſatisfaction, we do again aſſure you, we do not know there is any peace or ceſſation made there, other then that which determines in *March* next. But what Commiſſion the Marqueſs of *Ormond*, as Lieutenant of *Ireland*, or General of the Forces there, hath to that purpoſe, we do not know, and therefore cannot inform your Lordſhips. And as to the other particulars in that paper, we do * refer our ſelves to the anſwers formerly given in to your Lordſhips demands, touching that ſubject, with this, that we do conceive it to be moſt clear, that His Majeſty is in no wiſe reſtrained by expreſs words, or by the meaning of any Act made this Parliament, from making a peace, or a ceſſation in *Ireland*, without the conſent of the two Houſes.

* *The two Papers following*, No. 171, *and* 172 *were delivered in before this Paper, and the reference is to them, and others, formerly delivered on that ſubject*

Their Paper, 19. Feb.

CLXIX.

"THere being but three days left to Treat upon the propoſitions for *Religion*, the *Militia*, and for *Ireland*, and for that your Lordſhips have given no ſatisfactory anſwers to our demands concerning them, we therefore now deſire to confer with your Lordſhips, how to diſpoſe of the three days yet remaining, that we may receive your Lordſhips full and clear anſwers thereunto?

The King's Commiſſioners Anſwer, 19. Feb.

CLXX.

WE ſee no cauſe why your Lordſhips ſhould think our anſwers upon propoſitions for *Religion* and the *Militia* were not ſatisfactory. And for that of *Ireland*, we have received many papers from your Lordſhips concerning that buſineſs, beſides the propoſitions themſelves, to all which, we doubt not to give a full and clear anſwer to your Lordſhips to morrow, being the time aſſigned, and the laſt day of the Treaty upon that ſubject. * After we ſhall be ready to confer with your Lordſhips of diſpoſing the remainder of the time.

* *See the Paper*, 20 Feb. No. 192 *touching His Majeſties return to* Weſtminſter.

Accordingly after the before mentioned Demands, and Anſwers thereunto of the 19th. of *February*, the Kings Commiſſioners in Anſwer to theirs of the 18. of *February*, *No.* 149. delivered in this paper.

An. 1644.

CLXXI.

20. *Feb.*

WE have already told your Lordſhips, how far we are from being ſatisfied by what you have alledged againſt His Majeſties Power to make a Ceſſation with the Rebels in *Ireland*, neither have your Lordſhips in any degree anſwered the important Reaſons which induced His Majeſty ſo to do, it being very evident, that by the Ceſſation there, His Majeſties Proteſtant Subjects have been preſerved and ſubſiſted, which without it they could not have done, the two Houſes forbearing to ſend any relief or ſupply to them, and His Majeſty not being able. And we deſire your Lordſhips to conſider how impoſſible it was, whilſt the War continued in *England* with ſuch fierceneſs and animoſity, by Arms, to reduce the Kingdom of *Ireland* to His Majeſties Obedience; and therefore His Majeſty had great reaſon to preſerve that by a Ceſſation, which he could not reduce by a War. And we are moſt confident, that the Neceſſities (which are not offered as excuſes for, but were the real grounds of the Ceſſation) were very viſible to all thoſe in that Kingdom, whoſe advices His Majeſty ought in reaſon to follow, and whoſe intereſts were moſt concerned, and would not have given ſuch advice, if any other way could have been found out to preſerve them. And we have been credibly informed, that the Committee ſent into *Ireland* (which His Majeſty never underſtood to be ſent thither to ſupply the Neceſſities, but to obſerve the Actions of His Majeſties Miniſters there, having, in their Journey thither, ſigned Warrants in their own Names, to apprehend the perſons of Peers of this Realm, and perſons of His Majeſties Privy-Council) were never diſcountenanced there; for His Majeſties directions that perſons who were not of his Privy Council there, ſhould not be preſent at thoſe Councels, cannot be interpreted a diſcountenance to them in any thing they ought to do. And we are moſt aſſured, that His Majeſty ſent no Meſſage or Letter to divert the courſe of the Officers Subſcribing for Land in ſatisfaction of their Arrears, but the Soldiers were meerly diſcouraged from the ſame, by diſcerning that for want of Supplies, they ſhould not be able to go on with that War. And we do aſſure your Lordſhips, that His Majeſty doth not believe, that the Sums of Money raiſed for *Ireland* (which your Lordſhips do admit to have been made uſe of by both Houſes of Parliament, otherwiſe then was appointed) are yet ſatisfied in any proportion, the greateſt part of the Moneys raiſed upon the Bill for 400000 *l.* and of the Moneys raiſed upon the charitable Collections, as well as the Adventurers Moneys, being imployed upon the War here: And if the ſame were ſince ſatisfied, it doth no ways excuſe the diverting of them, when in the mean time that Kingdom ſuffered by that diverſion: And that the fear that other Moneys ſo raiſed, might likewiſe be miſimployed, was a great reaſon (amongſt others) that made His Majeſty not conſent to that Bill mentioned by your Lordſhips. And for the Regiments of Horſe and Foot, which your Lordſhips, in your paper of the 18th. of this month, ſay were deſigned for *Ireland*, though they were imployed otherwiſe, becauſe a Commiſſion could not be obtained for the Lord *Wharton*, who was to Command thoſe Forces, it is well known, that thoſe Forces were raiſed before His Majeſties Commiſſion was ſo much as deſired, and then the Commiſſion that was deſired, ſhould have been independent upon His Majeſties Lieutenant of that Kingdom, and therefore His Majeſty had great reaſon not to conſent to ſuch a Commiſſion; and ſo the damages of keeping thoſe ſix Pinnaces, and the 1000 Land Forces (if any ſuch were) proceeded not from any default of His Majeſty. And for the Proviſions ſeized by His Majeſties Forces, it is notorious that they were ſeized in the way to, and near *Coventry*, and that it was not made known to His Majeſty, that the ſame were for *Ireland*, till after the ſeizure thereof, when it was impoſſible to recover the ſame from the Souldiers, who had taken them. Whereas, if a ſafe Conduct had been deſired by His Majeſty, as it ought to have been, the ſame being to paſs through his Quarters, there would have been no violence or interruption offered. For the giving the Names of the perſons, who ſubſcribed the Letters delivered to your Lordſhips (the Originals of which have been ſhewed to you by us) we have given your Lordſhips a full and reaſonable anſwer; and if your Lordſhips will aſſure us, that their giving their Names to you, ſhall be no prejudice to the perſons who did ſubſcribe, if at any time any of them ſhall be found within your Quarters, we will forthwith deliver their Names to you; otherwiſe, we conceive your Lordſhips cannot but give credit to that we have ſaid, and ſhewed to you; all which, we hope, hath clearly ſatisfied your Lordſhips, that the Ceſſation with the Rebels was neither unjuſt nor unlawful,

lawful, and that you will proceed to ſatisfie us by what means the War may be managed in *Ireland*, with probable hope of the preſervation of His Majeſties Proteſtant Subjects there, we being very willing to concur with your Lordſhips in any juſt and honourable way, for the good and ſettlement of that miſerable Kingdom. 20 *Caroli.*

And together with this laſt, the King's Commiſſioners delivered in this other Paper.

20. *Feb.*

CLXXII. HAving given your Lordſhips clear Reaſons, why the Ceſſation which hath been made in *Ireland*, is not in Reaſon or Juſtice to be made void, and that the making void thereof (if the ſame might be done) is not or cannot be for the benefit or advantage of His Majeſties Proteſtant Subjects in that Kingdom, ſo long as the unhappy Wars in this Kingdom continue: To the other part of your Lordſhips firſt Paper, concerning *Ireland*, for the proſecution of the War there, to be ſettled in both Houſes of the Parliament of *England*, to be managed by the joint advice of both Kingdoms, and His Majeſty to aſſiſt, we ſay, That it appears by the other Papers delivered to us by your Lordſhips, as the Articles of the Treaty of the 6th. of *Auguſt*, and the Ordinances of the 11th. of *April*, and 9th. of *March*, and otherwiſe, that the intent is, That that War ſhall be managed by a joint Committee of both Kingdoms, and that the Committee of each Kingdom, ſhall have a Negative Voice, and conſequently it is very probable, that upon diffe rence of Opinion between them, that War may ſtand ſtill, or to the utter ruine of His Majeſties good Subjects there, be abſolutely diſſolv'd. For whereas your Lordſhips ſay, That in caſe of ſuch diſagreement, the Houſes of the Parliament of *England* may proſecute the War as they ſhall think fit, obſerving the Treaty of the 6th of *Auguſt*, 1642. and the Ordinance of the 11th. of *April*, your Lordſhips well know, that by that Treaty and that Ordinance, the two Houſes of the Parliament of *England* alone, cannot proſecute that War, that Ordinance of the 11th of *April* expreſly making the Earl of *Leven* the *Scots* General, Commander in Chief of all Forces in that Kingdom, both *Britiſh* and *Scottiſh*, without any reference unto His Majeſty, or his Lieutenant of that Kingdom, and directing that the War ſhall be managed by the Committee of both Kingdoms, without any other reference to the two Houſes of the Parliament of *England*; and therefore we cannot conſent that ſuch an Act of Parliament be paſſed for the Confirmation of that Treaty, or the Ordinance of the 11th. of *April*, as your Lordſhips propoſe, by reaſon that thereby all His Majeſties Authority would be wholly taken away in that Kingdom; and in truth, that whole Kingdom be thereby delivered into the Hands of His Majeſties Subjects of *Scotland*, which we conceive is neither juſt, prudent, or honourable to be done: And we are of opinion, that it is not agreeable to His Majeſties Honour, or the Juſtice and Protection which he owes to his Subjects of his Kingdom of *Ireland*, to put the Nomination of his Lieutenant, and Judges of that Kingdom, out of himſelf, and to commit the whole power of that Kingdom to others, and to bind himſelf to paſs all ſuch Acts of Parliaments, as at any time hereafter ſhall be preſented to him, for raiſing of Monies, and other things neceſſary for the proſecution of the War in that Kingdom, which your Lordſhips ſay in your paper the 9th. of this inſtant, you intend by thoſe Words (*His Majeſty to Aſſiſt*) in your firſt paper; and we conceive it cannot be expected that His Majeſty ſhould conſent to an Act of Parliament for proſecution of the War in *Ireland*, to be managed by the advice of the Houſes of Parliament here, and the Eſtates of the Parliament of *Scotland*, ſo long as the War in this Kingdom ſhall continue.

For theſe and many other reaſons, we conceive it doth appear to your Lordſhips, that the Propoſitions, as they are delivered to us by your Lordſhips, are by no means fit to be conſented to; and therefore we deſire your Lordſhips to make other Propoſitions to us, which may be for the preſervation and relief of His Majeſties Proteſtant Subjects there, and for the ſettlement of that Kingdom, in which we ſhall very readily concur, and we ſhall be very willing that the buſineſs of that Kingdom ſhall, after a Peace ſettled in this, be taken into conſideration, and ordered as His Majeſty, and both Houſes of Parliament here, ſhall think fit.

An. 1644.

Their Anſwers to theſe two Papers.

Their Paper, 20. *Feb.*

CLXXIII. WE *expected that your Lordſhips would have been fully ſatisfied by what we have alledged againſt His Majeſties power, to make the Ceſſation with the Rebels in* Ireland, *and we cannot find thoſe important reaſons, which your Lordſhips mentioned to have induced His Majeſty ſo to do, or that thereby His Majeſties Proteſtant Subjects there have been preſerved, or ſubſiſted; but we have made it evident, that this Ceſſation tended to the utter deſtruction of the Proteſtants in that Kingdom, as we conceived was deſigned by thoſe who adviſed His Majeſty thereunto, and we obſerve your Lordſhips urge that this Ceſſation was the only means for the ſubſiſtance of the Proteſtants there, when it cannot be denied, but that very many of the Proteſtants in* Ulſter, Munſter, *and* Connaught, *have yet ſubſiſted, although they have refuſed to ſubmit to the Ceſſation, and oppoſed the ſame, as the means intended for their ruine; and we do affirm unto your Lordſhips, that the two Houſes of Parliament have been ſo far from failing to ſupply His Majeſties good Subjects in that Kingdom, that although His Majeſties Forces have as much, as lay in their power, endeavoured to prevent the ſame, and have taken to themſelves that which was provided for thoſe whom your Lordſhips mention to have been in ſo great want and extremity, yet the two Houſes not diſcouraged thereby, have conſtantly ſent great proportions of all neceſſary ſupplies unto the Proteſtants there, whereby they have ſubſiſted, and have very lately ſent thither, and have already provided to be ſpeedily ſent after in Money, Victuals, Clothes, Ammunition, and other Neceſſaries, to the value of Sevenſcore thouſand pounds: And they have not deſired any other proviſion from His Majeſty, but what he was well able to afford herein, only his aſſiſtance and conſent in joyning with his two Houſes of Parliament, for the better enabling them in the proſecution of that War; and we are ſo far from apprehending any impoſſibility of reducing that Kingdom, during the unhappy diſtractions here, that although many of the Forces provided by the two Houſes for that end, were diverted and imployed againſt the Parliament, to the increaſing of our diſtractions, yet the Proteſtants in* Ireland *have ſubſiſted, and do ſtill ſubſiſt, and we have juſt cauſe to believe, that if this Ceſſation had not been obtained by the Rebels (and that in the time of their greateſt wants) and that theſe Forces had not been withdrawn, they might in probability have ſubdued thoſe bloody Rebels, and finiſhed the War in that Kingdom: For the pretended Neceſſities offered, as grounds of this Ceſſation, we have already given your Lordſhips, (we hope) clear Information: For the perſons whoſe Advice His Majeſty followed therein, your Lordſhips have not thought fit to make them known unto us, and we cannot conceive their intereſt in that Kingdom to be of ſuch conſideration as is by your Lordſhips ſuppoſed: But we know very well, that many perſons of all ſorts have forſaken that Kingdom, rather than they would ſubmit unto this Ceſſation, and great numbers of conſiderable perſons, and other Proteſtants yet remaining there, have oppoſed, and ſtill do oppoſe that Ceſſation, as the viſible means of their deſtruction. The two Houſes ſent their Committees into* Ireland, *for the better ſupplying and encouraging of the Armies there, and to take an account of the* State *of the War to be repreſented hither, that what ſhould be found defective might be ſupplied. What Warrants they iſſued we are ignorant of, but are well aſſured, that what they did was in purſuance of their Duty, and for advancement of the publick Service, and ſuppreſſing of that horrid Rebellion; and we cannot but ſtill affirm they were diſcountenanced and commanded from the Councel there, where the proſecution of that War was to be managed, and that it was declared from His Majeſty, that he diſapproved of the Subſcriptions of the Officers of the Army, by means whereof that courſe was diverted.*

Concerning the Moneys raiſed for Ireland, *we have in our former Papers given your Lordſhips a full and juſt anſwer, and we are ſorry the ſame cannot receive credit; thoſe Moneys raiſed upon Charitable Collections, we do poſitively affirm were only imployed to thoſe ends for which they were given, and we cannot but wonder the contrary ſhould be ſuggeſted; we are confident the Commiſſion deſired by the two Houſes for the Lord* Wharton (*and which your Lordſhips acknowledge was denied*) *was only ſuch as they conceived moſt neceſſary for advancement of that ſervice, and the denial thereof proved very prejudicial thereunto: And we muſt again inform your Lordſhips, that it was well known at the time when the Goods were ſeized by His Majeſties* Forces (*as your Lordſhips alledge near* Coventry) *that the ſame were then carrying for the ſupply of the Proteſtants in* Ireland, *and ſome other proviſions, made and ſent for the ſame purpoſe,*

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were likewiſe ſeized and taken away by ſome of His Majeſties Forces, as we have been credibly informed, not without His Majeſties own knowledge and direction; your Lordſhips may believe that thoſe who ſigned the Letters, mentioned in your papers, have done nothing but what they may well juſtifie, and if the ſame be well done, they need not fear to give an Accompt thereof, nor your Lordſhips to ſuppoſe that if they come within our Quarters, they ſhall be otherwiſe dealt withal than ſhall be agreeable to Juſtice. Upon the whole matter, notwithſtanding the allegations, pretences, and excuſes, offered by your Lordſhips, for the Ceſſation made with the Rebels in Ireland, *we are clearly ſatisfied, that the ſame was altogether unjuſt, unlawful, and deſtructive to His Majeſties good Subjects, and of advantage to none but the Popiſh Bloody Rebels in that Kingdom; and therefore we ſtill earneſtly inſiſt, as we conceive our ſelves in Conſcience and Duty obliged, upon our former demands concerning* Ireland, *which we conceive moſt juſt and honourable for His Majeſty to conſent unto. We know no other ways to propound more probable for the reducing of the Rebels there, but theſe being granted, we ſhall chearfully proceed in the managing of that War, and doubt not, by Gods bleſſing, we ſhall ſpeedily ſettle that* Kingdom *in their due Obedience to His Majeſty.* 20 *Caroli.*

Their other Paper, 20. Feb.

CLXXIV.

'WE cannot underſtand how out of any of the Papers, Articles and Ordinances, delivered by us unto your Lordſhips, there ſhould be a ground for your Opinion, that upon any differences between the Committees or Commanders, imployed about the War of *Ireland*, the War ſhould ſtand ſtill or be diſſolved; nor do we find that the Ordinance of the 11th. of *April*, can produce any ſuch Inconvenience as your Lordſhips do imagine: Nor doth the making of the Earl of *Leven* Commander in Chief of the *Scottiſh* and *Britiſh* Forces, and the ſettling of the proſecution of the War of *Ireland*, in the two Houſes of the Parliament of *England*, to be managed by the joynt advice of both Kingdoms, take away the relation to His Majeſties Authority, or of the two Houſes of Parliament, or of the Lord Lieutenant of *Ireland:* For in the firſt place, His Majeſties conſent is humbly deſired, and the whole power is derived from him, only the Execution of it is put into ſuch a way, and the General is to carry on the War, according to the Orders he ſhall receive from the Committee of both Kingdoms, and in caſe of diſagreement in the Committee, the two Houſes of Parliament are to proſecute that War as is expreſſed in our Anſwer to your Lordſhips ſecond Paper of the 19th. of *Feb.* And when there ſhall be a Lieutenant of *Ireland*, and that he ſhall join with the Commander in Chief of the *Scottiſh* Army, the ſaid Commander is to receive Inſtructions from him, according to the Orders of the Commiſſioners of both Kingdoms, as we have ſaid in our anſwer to your Lordſhips ſecond Paper of this day; nor doth the Naming of the Earl of *Leven* to be General, any more take away the power of the two Houſes, than if he were a Native of this Kingdom, or is there any part of the Kingdom of *Ireland*, delivered over into the hands of His Majeſties Subjects of the Kingdom of *Scotland*, who do only join with their Councels and Forces, for carrying on the War, and reducing that Kingdom to His Majeſties Obedience: And we conceive it moſt conducing for the good of His Majeſties Service, and of that Kingdom, that the Lieutenant and Judges there, ſhould be Nominated by the two Houſes of Parliament, as is expreſſed in the 20th. Propoſition, who will recommend none to be imployed by His Majeſty, in places of ſo great Truſt, but ſuch, whoſe known Ability and Integrity ſhall make them worthy of them, which muſt needs be beſt known to a Parliament: Nor are they to have any greater power conferred upon them, by the granting this Propoſition, than they have had who did formerly execute thoſe places; and we know no reaſon, why your Lordſhips ſhould make difficulty of His Majeſties conſenting to ſuch Acts, as ſhall be preſented unto him, for raiſing Moneys, and other Neceſſaries from the Subject, which is without any charge to himſelf, for no other end, but the ſettling of the true Proteſtant Religion in that Kingdom, and reducing it to His Majeſties Obedience, for which we hold nothing too dear, that can be imployed by us. And we cannot but wonder that your Lordſhips ſhould make the proſecution of the War of *Ireland*, which is but to execute Juſtice upon thoſe Bloody Rebels, who have broken all Laws of God and Man, their Faith, their Allegiance, all Bonds of Charity, all Rules of Humanity, and Humane Society, who have Butchered ſo many thouſands of Innocent Chriſtians, Men, Women, and Children, whoſe Blood cries up to Heaven for Vengeance, ſo many of His Majeſties Subjects,

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An. 1644. ‘ whoſe lives He is bound to require at their hands that ſpilt them, and to do ‘ Juſtice upon them, to put away innocent blood from Himſelf, His poſterity, ‘ the whole Land, theſe excreable antichriſtian Rebels, who have made a cove- ‘ nant with Hell, to deſtroy the Goſpel of Chriſt, and have taken up Arms to ‘ deſtroy the Proteſtant Religion, to ſet up Popery, to rend away one of His ‘ Majeſties Kingdoms, and deliver it up into the hands of ſtrangers, for which ‘ they have Negotiations with *Spain* and other States; a War which muſt pre- ‘ vent ſo much miſchief, do ſo much good, offer up ſuch an acceptable Sacrifice ‘ to the great and juſt God of Heaven, who groans under ſo much wickedneſs to ‘ lye ſo long unpuniſhed; A War which muſt reduce that Kingdom unto His ‘ Majeſties obedience, the moſt glorious work that this Kingdom can undertake. ‘ That the proſecution of ſuch a War, your Lordſhips ſhould make to de- ‘ pend upon any other condition; That the diſtractions of theſe Kingdoms, ‘ ſhould be laid as an impediment unto it, and that there ſhould be any ‘ thought, any thing which ſhould give theſe Rebels hope of impunity, if ‘ our miſeries continue; whereas according to Chriſtian Reaſon, and the ordinary ‘ courſe of Gods Providence, nothing can be more probable to continue our miſe- ‘ ries, than the leaſt connivance in this kind. What can be ſaid or imagined ſhould ‘ be any inducement to it? We hope not to make uſe of their help and aſſiſtance, ‘ to ſtrenghten any Party here, to bring over ſuch Actors of barbarous cruelties, ‘ to exerciſe the ſame in theſe Kingdoms; we deſire your Lordſhips to conſider ‘ theſe things, and that nothing may remain with you, which may hinder His ‘ Majeſty from giving his conſent to all good means for the reducing of *Ireland*, ‘ according to what is deſired by us in our Propoſitions.

The King's Commiſſioners Reply to the two laſt Papers.

The Kings Commiſſioners Paper, 20. February.

CLXXV. WE are very ſorry, that our anſwers formerly given to your Lordſhips, in the buſineſs of the Ceſſation, which was ſo neceſſary to be made, and being made, to be kept, hath not given your Lordſhips ſatisfaction; and that your Lordſhips, have not rather thought fit to make the reaſonableneſs of your Propoſi- tion concerning *Ireland* appear to us, or to make ſuch as might be reaſonable inſtead thereof, then by charging His Majeſty, with many particulars, which highly reflect upon His Honour, to compel us to mention many things, in anſwer to your Lord- ſhips Allegations, which otherwiſe in a time of Treaty, when we would rather endeavour to prevent future inconveniences, then to inſiſt on paſt miſtakes, we de- ſired to have omitted; And we can no ways admit, that when the Ceſſation was made in *Ireland*, His Majeſties Proteſtant Subjects there, could have ſubſiſted without that Ceſſation, nor that the War can be maintained and proſecuted to the ſubduing the Rebels there, ſo long as the War continues in this Kingdom, which are the chief grounds laid for the aſſertions in your Lordſhips firſt paper delivered this day, concerning the buſineſs of *Ireland*; neither can we conceive, that your Lordſhips have alledged any thing, that could in the leaſt degree ſatisfie us, that His Majeſty had no power to make that Ceſſation, or had no reaſon ſo to do, con- ſidering (as we have formerly ſaid, and again do inſiſt upon it) that by that Ceſſation, (which was not made till long after this Kingdom was embroyled in a miſerable War) the poor Proteſtants there (who for want of ſupplies from hence were ready to famiſh and be deſtroyed) were preſerved, and that Kingdom kept from utter ruin, (ſo far was it from being a deſign for their deſtruction, or for the ad- vantage of the Popiſh bloody Rebels, as is inſinuated;) for it appears by the Let- ters of the Lords Juſtices of *Ireland*, Sir *William Parſons*, and Sir *John Borlace*, and of the Council there, and of the 4th. of *April*, 1643. before that Ceſſation made, directed to the Speaker of the Houſe of Commons, a Copy whereof we delivered to your Lordſhips, though we preſume you may have the Original; “ That His Majeſties Army and good Subjects there, were in danger to be de- “ voured for want of needful ſupplies forth of *England*; and that His Maje- “ ſties Forces were of neceſſity ſent abroad, to try what might be done, for “ ſuſtaining them in the Countrey, to keep them alive until ſupplies ſhould get to “ them, but that deſign failing, thoſe their hopes were converted into aſto-

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" niſhment, to behold the miſeries of the Officers and Souldiers for want of all " things, and all thoſe wants made inſupportable in the want of food; and di- " vers Commanders and Officers declaring they had little hope to be ſupplyed by " the Parliament, preſſed with ſo great importunity, to be permitted to depart " the Kingdom, as that it would be extream difficult to keep them there. And in another part of that Letter (for we ſhall not grieve you with mention of all their complaints) they expreſſed, " That they were expelling thence all ſtrangers, " and muſt inſtantly ſend away for *England* thouſands of poor deſpoyled *Engliſh*, " whoſe very eating was inſupportable to that place; that their confuſions would " not admit the writing of many more Letters, if any, (for they had written di- vers others, expreſſing their greater neceſſities.) " And to the end His Majeſty and " the *Engliſh* Nation, might not irrecoverably, and unavoidably ſuffer, they " did deſire that then (though it were almoſt at the point to be too late) ſupplies " of victuals and Ammunition in preſent, might be haſtened thither to keep life " until the reſt might follow, there being no victual in the ſtore, nor a hundred " Barrels of Powder (a ſmall proportion to defend a Kingdom) " left in the " ſtore, when the out-Garriſons (as they were to be inſtantly) were ſupplyed, and " that remainder, according to the uſual neceſſary expence, beſides extraordinary " accidents, would not laſt above a Month. And in that Letter they ſent a paper, ſigned by ſundry Officers of the Army, delivered to them as they were ready to ſign that diſpatch, and by them apprehended to threaten imminent danger, which mentioned, " That they were brought to that great exigence, that they were " ready to rob and ſpoil one another, that their wants began to make them deſpe- " rate; That if the Lords Juſtices, and Council there, did not find a ſpeedy way " for their preſervation, they did deſire that they might have leave to go away; " That if that were not granted, they muſt have recourſe to the Law of Nature, " which teacheth all men to preſerve themſelves.

And by a letter of the 11th of *May* following (a Copy whereof we have alſo delivered to your Lordſhips) the Lords Juſtices and Council there did advertiſe His Majeſty, " that they had no victual, clothes, or other proviſions, (no money to " provide them of any thing they want) no Arms, not above 40 Barrels of Powder, " no ſtrength of ſerviceable Horſe, no viſible means by Sea or Land, of being able " to preſerve that Kingdom, and that though the Winds had in many days, and " often formerly ſtood very fair for acceſſions of ſupplies forth of *England*, (the " two Houſes having then, and ever ſince the full Command of thoſe Seas) yet " to their unexpreſſible grief, after full ſix months waiting, and much longer " patience, and long ſuffering, they found their expectations anſwered in an in- " conſiderable quantity of proviſions, viz. 75 Barrels of Butter, and 14 Tun of " Cheeſe, being but the 4th part of a ſmall Veſſels-loading, which was ſent from " *London*, and arrived there on the 5th of *May*, which was not above 7 or 8 days, " proviſions for that part of the Army, in and about *Dublin*; No money or " victuals, (other than that inconſiderable proportion of victuals) having arrived " there as ſent from the Parliament of *England*, or from any other Port of " *England*, for the uſe of the Army ſince the beginning of *November* before. And beſides theſe whereof we have Copies to your Lordſhips, it was repreſented to his Majeſty by petition from the Kingdom; " That all means by which comfort " and life ſhould be conveyed to that Gaſping Kingdom ſeemed to be totally ob- " ſtructed, and that unleſs timely relief were afforded, His Loyal Subjects there " muſt yield their fortunes for a Prey, their lives for a Sacrifice, and their Reli- " gion for a ſcorn to the mercileſs Rebels. Upon all which deplorable paſſages, repreſented by perſons principally intereſſed in the managing of the affairs of that Kingdom, and the War there, in which number were Sir *William Parſons*, Sir *John Temple*, Sir *Adam Loftus*, and Sir *Robert Merideth*, Perſons of great eſtimation with your Lordſhips; to which we could add many other advices, and letters from ſeveral men of repute and quality, but that we will not trouble your Lord- ſhips with repetitions of private advices, we cannot think but your Lordſhips are now ſatisfied that the neceſſities of that Kingdom, which were the ground of the Ceſſation there, were real and not pretended, and therefore for excuſes we leave them, to them who ſtand in need of them; and we deſire your Lordſhips to con- ſider as the diſtracted condition of this Kingdom was, what other way could be imagined for the preſervation of that Kingdom, than by giving way to that Ceſſa- tion; and though it is inſiſted on in your Lordſhips Paper, that ſome Proteſtants in *Ulſter*, *Munſter*, and *Connaught*, (who have refuſed to ſubmit to that Ceſſation) have

An. 1644

have yet ſubſiſted, yet your Lordſhips well know, theſe were generally of the *Scottiſh* Nation, who had ſtrong Garriſons provided, and appointed to them, and were in theſe parts of *Ireland*, near the Kingdom of *Scotland*, whence more ready ſupplies of Victuals might be had, than the *Engliſh* could have from *England*, and for whoſe ſupply (as His Majeſty hath been credibly informed, and we believe that your Lordſhips know it to be true) ſpecial care was taken, when the *Engliſh* Forces, and other *Engliſh* Proteſtant Subjects there, were neglected, whereby they were expoſed to apparent deſtruction, by Sword and Famine; and we cannot but wonder at the Aſſertion, that His Majeſties Forces have as much as lay in them, endeavoured to prevent thoſe ſupplies for *Ireland*, and at the mention of the intercepting thoſe proviſions near *Coventry*, with His Majeſties own knowledge and direction, whereas, as we have formerly acquainted your Lordſhips, it was not known to His Majeſty that thoſe proviſions, which were taken near *Coventrey* going thither, when His Majeſties Forces were before it, were intended for *Ireland*, till after the ſeizure thereof, when it was impoſſible to recover them from the Soldiers, which might have been prevented, if a ſafe Conduct had been deſired through His Majeſties Quarters, which we are aſſured He would have readily granted for thoſe or any other ſupplies for that Kingdom, but was never asked of Him; and as there is no particular inſtance of any other proviſions for *Ireland* intercepted by His Majeſties Forces, but thoſe near *Coventrey*, which were conſiderable, ſo we can aſſure your Lordſhips, that when His Majeſty was in the greateſt wants of all proviſions, and might have readily made uſe of ſome provided for *Ireland*, lying in Magazines within His Quarters, yet he gave expreſs order for the ſending them away, which was done accordingly, and would have ſupplied them further out of His own ſtore, if he had been able; and no man can be unſatisfied of His Majeſties tender ſence, of the Miſeries of His Proteſtant Subjects in *Ireland*, when they ſhall remember how readily he gave His Royal Aſſent to any propoſition or Acts for raiſing of Men, Moneys, and Arms for them, that he offered to paſs over in Perſon for their relief, (which His Majeſties Subjects of *Scotland* approved, and declared it to be an argument of Care in His Majeſty, and if that had proceeded, it might in poſſibility have quenched the flames of that unhappy Rebellion, as long before it might probably have been prevented, if the Army of *Iriſh* Natives there had been ſuffered to have been Tranſported out of that Kingdom, as was directed by His Majeſty.

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What proviſions are lately ſent, or are now ſending to *Ireland* from the two Houſes, we know not; But His Majeſty hath been informed, that even thoſe proviſions are deſigned in purſuance of the late Treaty concerning *Ireland*, made with His Subjects of *Scotland* without His Majeſties conſent, and only for ſuch, who have declared themſelves againſt His Majeſties Miniſters, and in oppoſition to that ceſſation to which many of them had formerly conſented, though they have ſince upon private Intereſt, and the incouragement and ſolicitations of others oppoſed the ſame; and therefore His Majeſty cannot look upon thoſe Supplies, as a ſupport for the War againſt the *Iriſh* Rebels, or as a repayment of thoſe moneys which being raiſed by Acts of Parliament for that War, have been formerly diverted to other uſes, of which Money 100000 *l.* at one time was iſſued out for the payment of the Forces under the Earl of *Eſſex*.

And as to diverting the Forces provided, for the reducing of *Ireland*, though we conceiv'd it ought not to be objected to His Majeſty, conſidering the Forces under the Command of the Lord *Wharton*, raiſed for *Ireland* had been formerly diverted and imployed againſt him, in the War here in *England*, yet it is evident they were not brought over, till after the ceſſation, when they could no longer ſubſiſt there; And that there was no preſent uſe for them, and before thoſe Forces brought over, there was an attempt to bring the *Scottiſh* Forces in *Ireland*, as likewiſe divers of the *Engliſh* Officers there, into this Kingdom, and ſince the Earl of *Leven* their General, and divers *Scotch* Forces were actually brought over.

To the Allegation that many Perſons of all ſorts have forſaken the Kingdom, rather than they would ſubmit to that ceſſation, we know of none; But it is manifeſt, that divers who had left that Kingdom, becauſe they would have been famiſhed if they had continued there, ſince that ceſſation have returned.

Touching the Committee ſent into *Ireland*, we have already anſwered, they were not diſcountenanced by His Majeſty, in what they lawfully might do, although they went without his Privity, but conceive your Lordſhips will not inſiſt, that they ſhould ſit with the Privy Councel there and aſſume to themſelves to

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advise and interpose as Privy-Counsellors: And we again deny the Subscriptions of the Officers of the Army was diverted by his Majesty, and it is well known, that some Officers apprehending upon some Speeches, that the drift in requiring Subscriptions was to engage the Army against his Majesty, in detestation thereof upon those Speeches, rent the Book of Subscriptions in pieces. 20 *Caroli.*

For the diversion of the Moneys raised for that War, if they had been since repayed, (the contrary whereof is credibly informed to his Majesty,) yet that present diversion might be, and we believe was a great means of the future wants of that Kingdom which induced the Cessation. As to the Lord *Wharton*'s Commission, we conceive we have already fully satisfied your Lordships the just reasons thereof.

For the Letters, whereof your Lordships had Copies, we conceive that you being thereby satisfied of the Contents, and that they came from the Lord Justices and Councel there, your Lordships need not doubt of the truth of the matter: And for the Names of the single persons subscribing, we cannot conceive it is desired for any other purpose, then to be made use of against such of them as should come into your Quarters, you having not granted, though desired, that it shall not turn to their prejudice, if we should give in their Names.

Upon what hath been said, it appears, That His Majesties *English* Protestant Subjects in *Ireland* could not subsist without a Cessation: And that the War there cannot be maintained or prosecuted to the subduing of the Rebels there, during the continuance of this unnatural War here, it is evident to any man, that shall consider, that this Kingdom labouring in a War which imploys all the Force and Wealth at home, cannot, nor will spare considerable Supplies to send abroad; or if it could, yet whiles there are mutual Jealousies, that there cannot be that concurrence in joint advices betwixt the King and the two Houses, as will be necessary, if that War be prosecuted; and that His Majesty cannot condescend, or your Lordships in reason expect His Majesty should, by his Consent to Acts of Parliament for the managing of that War, and raising Moneys to that purpose, put so great a power into their hands, who, during these Troubles, may if they will turn that power against him: And it is apparent, that the continuance of the War here must inevitably cause the continuance of the miseries there, and endanger the rending of that Kingdom from this Crown.

The King's Commissioners other Paper, 10. Feb.

CLXXVI.

WE do very much wonder that it doth not clearly appear to your Lordships, that upon any difference between the Committees of both Kingdoms, in the managing the War of *Ireland*, (in the manner proposed by your Lordships) the War there must stand still, or be dissolved, for if the Ordinance of the 11th. of *April*, be by His Majesties Royal Assent made an Act of Parliament, (as your Lordships desire) all the Forces of that Kingdom both *Brittish* and *Scottish*, are put under the absolute Command of the Earl of *Leven* the *Scottish* General, and the managing the War committed wholly to the Committee of both Kingdoms, without any reference to the two Houses of the Parliament of *England*, by themselves, so that whatsoever your Lordships say of your intentions, the two Houses of Parliament there, shall upon such difference manage the War, (which yet you say must be observing the Treaty, of the 6th. of *August*, and the said Ordinance of the 11th. of *April*) it is very evident if that Ordinance should be made a Law, the War must stand still, or be dissolved upon difference of Opinion between the Committee of both Kingdoms, or else the Earl of *Leven* must carry on that War according to his discretion. For he is in no degree bound to observe the Orders or Directions of the Houses of Parliament in *England* by themselves, neither doth the asking His Majesties consent, at all alter the case from what we stated it to your Lordships, in our paper of the 20th. of this instant, for we said then, and we say still, that if His Majesty should consent to what you propose, he would devest himself of all his Royal power in that Kingdom, and reserve no power or authority in himself over that War, which is most necessary for his Kingly Office to do; for your Lordships expression, *when there shall be a Lieutenant of Ireland*, we presume your Lordships cannot but be informed, that His Majesty hath made, and we doubt not but you acknowledge he hath power to make the Lord Marquess of *Ormond* his Lieutenant of that Kingdom, and who is very well able to manage and carry on that War, in such manner as shall be thought necessary for the good of that Kingdom, and there is no question, but that the naming the Earl of *Leven* to be General

An. 1644. to receive Orders only from the joynt Committee of both Kingdoms, doth more take away the power of the two Houſes here, than if he were a Native of this Kingdom, and to obey the Orders of the two Houſes. And we conceive it evident, that the giving the abſolute Command of all Forces, both *Britiſh* and *Scottiſh*, to the Earl of *Leven*, General of the *Scottiſh* Forces, who is to manage the War according to the Directions of the joynt Committee of both Kingdoms, doth not amount to leſs, then to deliver the whole Kingdom of *Ireland* over into the hands of His Majeſties Subjects of the Kingdom of *Scotland*, and therefore we muſt ask your Lordſhips pardon, to believe our ſelves obliged in prudence, honour, and conſcience, very much to inſiſt on that conſideration, and very earneſtly to recommend the ſame to your Lordſhips: And we conceive it moſt conducing to the good of His Majeſties Service, and of that Kingdom, that the Lieutenant and Judges there be Nominated (as they have always been) by his Majeſty, who will be ſure to imploy none in places of ſo great Truſt, but ſuch whoſe known Ability and Integrity ſhall make them worthy; and if at any time he ſhall find himſelf deceived by thoſe he ſhall chooſe, can beſt make them examples of his Juſtice, as they have been of his Grace and Favour. And we beſeech your Lordſhips to conſider, how impoſſible it is for his Majeſty to receive that meaſure of Duty, Reverence and Application, which is due to him, and his Royal Progenitors have always enjoyed, if it be not in his own immediate power to reward thoſe, whom he ſhall by experience diſcern worthy of publick Truſt and Imployment. We have made no difficulty to your Lordſhips, of his Majeſties conſenting to Acts for the raiſing of Moneys, and other Neceſſaries, for the ſettling of the true Proteſtant Religion in that Kingdom, only we think it unreaſonable, that his Majeſty ſhould engage himſelf (as is propoſed) to paſs all ſuch Acts as ſhall be preſented to him, before he know whether ſuch Acts are reaſonable or no, and whether thoſe (*other Neceſſaries*) may not comprehend what in truth is not only unneceſſary, but very inconvenient; neither will the Argument, that the Moneys are to be raiſed from his Subjects, without any charge to himſelf, ſeem reaſonable to his Majeſty, his Majeſty conſidering his own charge much leſs then the damage and preſſures which may thereby befal his good Subjects; the preſerving them from which, is his Majeſties moſt ſollicitous and earneſt deſire. And we cannot but wonder, that your Lordſhips ſhould conceive any expreſſions made by us, concerning the proſecution of that VVar of *Ireland*, to be unagreeable to the zeal of perſons abundantly ſenſible of the Blood and Horror of that Rebellion; we agree with you, they have broken the Laws of God and Man, their Faith, their Allegiance, the Bonds of Charity, Rules of Humanity, and Humane Society, and we heartily wiſh that it were in his Majeſties power to do Juſtice upon, and make up thoſe breaches of all thoſe Rules and Bonds; and to that purpoſe we have deſired to be ſatisfied by your Lordſhips, what probable courſe may be taken, for the remedying thoſe miſchiefs, and preſerving the remainder of his Majeſties good Proteſtant Subjects; but without doubt, the proſecution of that VVar ſo much depends upon the condition and diſtractions of his Majeſties other Kingdoms, that the information your Lordſhips give us, of the Negotiation with *Spain*, and other States, for delivering up that Kingdom from his Majeſties obedience, into the hands of Strangers, deſerves the moſt ſtrict conſideration, how his Majeſties two other Kingdoms can be applied to the relief of the third, whilſt theſe diſtractions are in their own Bowels, and the continuance of the miſeries in the two, muſt render thoſe in the third remedileſs, if it be not preſerved by ſome other means, then the proſecution of the VVar; neither can it be foreſeen or determined, what help or aſſiſtance either party may make uſe of, where it finds it ſelf oppreſſed, and over-powred by the other, eſpecially when it calls in any help, and leaves no means unattempted to deſtroy the other. And we beſeech your Lordſhips, in the Bowels of Chriſtian Charity and Compaſſion, and in the Name of him, who is the Prince of Peace, and who will make an Inquiſition for Blood, to conſider, whether all our endeavours ought not to be, to ſtop theſe bloody iſſues in all his Majeſties Dominions; and whether the juſt God of Heaven, who for our ſins, hath made the ſeveral Nations, under his Majeſties Government, to be ſcourges of one another, and of his Majeſty himſelf, under whoſe Obedience they ſhould all live, can be delighted with the ſacrifice of Blood, and the Blood of Chriſtians; and whether it would not be more agreeable to our Chriſtian profeſſion, to endeavour the binding up of thoſe Wounds, which intereſts, paſſion, and animoſity have made. We deſire your Lordſhips to conſider theſe things, and to make ſuch Propoſitions to us concerning *Ireland* (ſince it is apparent, that thoſe already made by you, are by no means fit to be conſented to) as may be

20 *Caroli.*

be for the growth and propagation of the true Proteſtant Religion, the Peace and Happineſs of that Kingdom, and the Welfare of all his Majeſties Dominions.

The laſt of the ſix days concerning *Ireland* being now ſpent, being the laſt of the eighteen, appointed to Treat upon *Religion*, *Militia*, and *Ireland*, by three days a piece, *Alternis Vicibus*, according to the order formerly propoſed, the two remaining days were imployed for the moſt part concerning *Religion*, but towards the end of theſe two days, being the laſt of the Treaty (about Twelve of the Clock at Night) they delivered in theſe two following Papers concerning *Ireland*, in anſwer to the two laſt Papers.

Their Paper, 22. Feb.

CLXXVII.

'WE are very ſorry, that your Lordſhips ſhould continue in that opinion, 'That it was neceſſary to make the Ceſſation in *Ireland*, when by undeniable proofs, and conſideration of all circumſtances, it is moſt clear, that the 'Neceſſities alledged for grounds of that Ceſſation, were made by deſign of the 'Popiſh and Prelatical party in *England* and *Ireland*, who ſo wickedly contrived 'the ſame, that the proviſions ſent thither by the Parliament, for relief of His 'Majeſties good Subjects in *Ireland* were diſpoſed of, and afforded to the Rebels 'there in their greateſt wants, and then when your Lordſhips affirm the Proteſtants 'to be in ſo great extremity, and even at that time alſo, when the Officers of our 'Army and Garriſons preſſing for leave to March into the Enemies Country, to 'live upon them, and ſave their own Stores, ſome who were driven forth, had 'great quantities of Proviſions out with them, yet were not permitted to March 'into the Enemies Country, but kept near *Dublin*, until their Proviſions were 'ſpent, and then commanded back again; others could not obtain leave to go 'forth, but were commanded to ſtay at home, that their own Proviſions might be 'the ſooner conſumed, and thereby the Neceſſity made greater. Notwithſtanding by the care of both Houſes of Parliament here for their ſupply they were 'able to ſubſiſt, and did ſubſiſt at the time of that Ceſſation, although the taking 'thereof reduced them to far greater Neceſſities, then otherwiſe they could have 'ſuffered, beſides the Notorious advantage thereby to the Rebels, when their 'wants and extremities were moſt preſſing. And we ſhould not again have troubled your Lordſhips with theſe anſwers, had they not been cauſed by your own 'repetition of the Letters, of part whereof you have given us Copies, though 'not the knowledge of the perſons from whom they came, only you are pleaſed 'to mention the Lords Juſtices, and Councel there, yet we are aſſured, even by 'ſome who were of the Councel at that time when the Letters were written, that 'the ſame was done only to preſs for Supplies from hence, without the leaſt intention in them, of inducing a Ceſſation, neither do the Copies contain any thing 'tending to a Ceſſation, or the leaſt mention thereof; and we have cauſe to grieve, 'not only at what your Lordſhips expreſs concerning the complaints from *Ireland*, 'and their great extremities, but that the ſame being procured and increaſed by 'the Popiſh party, yet we ſhould find ſuch earneſt endeavours to lay the blame 'and neglect therein upon the two Houſes of Parliament here, who have been ſo 'zealous for their relief, and whoſe only care (under the bleſſing of God) hath 'been their preſervation, and that in the heat of our own miſerable Diſtractions 'have continued their Supplies, and from our own great want, have not ſpared to 'afford our Brethren there the means of their ſubſiſtance.

'The Proteſtants in *Munſter*, *Connaught* and *Ulſter*, who oppoſed this Ceſſation, were many of them *Engliſh*, and both they and the *Scots* ſuffering under as 'great wants and failure of Supplies, as the Proteſtants in other places, and in no 'better poſture of their own defence; notwithſtanding, in a true ſenſe of their 'own Duty and Conſcience, they have oppoſed and ſtill do oppoſe the ſame, neither 'were the *Engliſh* there neglected, as your Lordſhips have been miſinformed, by 'ſuch who labour to deſtroy both Nations, and as a means thereto to divide 'them.

'Beſides the Goods ſeized near *Coventry*, we have mentioned other particulars 'aſſerted to be ſeized, not without his Majeſties own knowledge and direction, as 'we are informed, and are moſt unwilling to believe; neither do we underſtand 'it to be an excuſe for ſeizing ſome Goods, to ſay that his Majeſty did forbear to 'ſeize others in his power, but when his Majeſty ſhall rightly ponder the horridneſs of that Rebellion, we hope thoſe wicked Inſtruments who contrived, and

An 1644.

'do ſupport the ſame, will have no power to alter His Majeſties tender ſenſe of 'the miſeries of his Proteſtant Subjects in that Kingdom, not at all to leſſen his 'Piety and Gracious Care for quenching the flames of that unhappy Rebellion.

'We do again affirm unto your Lordſhips the truth of what we ſaid before 'concerning the Supplies of *Ireland* by the two Houſes, and it ſeems ſtrange, 'that what hath been lately ſent, ſhould not be looked upon, as a ſupport of the 'War againſt the Rebels, by which only the Proteſtants were enabled to defend 'themſelves, and to infeſt their Enemies: Nor can we imagine any other means 'as a ſupport of that Juſt War, being moſt aſſured, that if this had not been done, 'the Rebels muſt certainly have prevailed, and the remnant of his Majeſties good 'Subjects of that Kingdom have periſhed.

'You Lordſhips are pleaſed to remember ſome Moneys by us imployed, parti- 'cularly one hundred thouſand pounds, which was raiſed for *Ireland*, and all 'which hath been re-ſatisfied with advantage; and we muſt as often as you are 'pleaſed to repeat it, refer your Lordſhips to our former juſt and clear anſwers 'concerning the ſame, and the like for the Forces under the Command of the 'Lord *Wharton*; and we believe what your Lordſhips expreſs, concerning the 'Forces brought hither to his Majeſty out of *Ireland*, after the Ceſſation, it being 'one end for which the Ceſſation was made, that thoſe Forces might be imployed 'againſt the two Houſes of Parliament here; and thoſe *Scottiſh* Forces which 'came over were not ſent for.

'We know of no perſons who have returned into *Ireland* ſince the Ceſſation, 'except ſuch as were Agents for the procuring thereof, and divers principal Re- 'bels who preſumed to addreſs themſelves unto his Majeſty at *Oxford*, and were 'there countenanced.

'It is probable, that ſome might endeavour to alienate the hearts of the Officers 'of the Army there from the two Houſes, whereby their ſervice againſt the Re- 'bels might be interrupted.

'To that particular of the Subſcriptions of the Officers, and of the Committee 'ſent into *Ireland*, and of the diverſions of Moneys alledged, and of the Copies 'of Letters given us by your Lordſhips without the Names of thoſe who ſubſcri- 'bed them: We have already given your Lordſhips a full and clear anſwer, but 'have not received ſatisfaction concerning the denial of the Lord *Whartons* Com- 'miſſion, whereby the ſervice of that Kingdom was much prejudiced.

'It is ſo far from being made appear, that his Majeſties *Engliſh* Proteſtant Sub- 'jects in *Ireland*, could not ſubſiſt without a Ceſſation, that the contrary is unde- 'niable, and that his Majeſties Proteſtant Subjects there, both *Engliſh* and *Scot- 'tiſh*, who have oppoſed that Ceſſation, have ſubſiſted and do ſtill ſubſiſt, and we 'are ſorry to find any inclination to continue that Ceſſation, which whenſoever 'made, will be eſteemed by all good Proteſtants a countenancing of that Bloody 'Rebellion.

'We do inſiſt upon our former Demands concerning *Ireland*, and doubt not but 'thoſe being granted, notwithſtanding our preſent miſerable diſtractions here, we 'ſhall (by the bleſſing of God) bring thoſe bloody Rebels to a ſpeedy and juſt 'puniſhment, and ſettle that unhappy Kingdom in their due Obedience to his Ma- 'jeſty, and the Crown of *England*.

Their other Paper, 22. *Feb.*

CLXXVIII. *IT is not poſſible for us to give a more clear anſwer than we have done, to ſhew that there can no ſuch inconvenience follow, upon confirming the Ordinance of the* 11*th. of* April, *by Act of Parliament, as your Lordſhips do imagine, it being deſired that the Treaty of the* 6*th. of* Auguſt, *be in like manner confirmed; by which the Commanders of the* Scottiſh *Forces in* Ireland, *are to be anſwerable to His Majeſty and the two Houſes of Parliament of* England, *for their whole deportment and proceeding there; and it being deſired by the thirteenth Propoſition, that the proſecutions of the War of* Ireland, *ſhould be ſettled in both Houſes of Parliament; all which taken together, it cannot follow, that upon any diſagreement between the Committees there, the Earl of* Leven *may carry on the War according to his own diſcretion; as for our expreſſion (when there ſhall be a Lieutenant in* Ireland) *which was uſed in anſwer to your Lordſhips ſecond paper of the* 20*th. of* February, *it was to ſatisfie your Lordſhips, that there could be no interferring between the Powers of the Lord Lieutenant, and the Earl of* Leven, *and ſtill we ſay when there ſhall be a Lord Lieutenant choſen, as is expreſſed in our* 20*th. Propoſition, (for we do not admit the Marqueſs of* Ormond *to be ſo) the*

20 Caroli.

the Commander in chief of the Scottiſh *Army, is to receive Inſtructions from him in ſuch manner as we have laid it down, in that anſwer of ours to your Lordſhips paper above-mentioned, which will, we hope, ſatisfie your Lordſhips other objection, that this is not to deliver over the whole Kingdom of* Ireland *into the hands of His Majeſties Subjects of the Kingdom of* Scotland, *ſeeing ſuch of that Nation as are there imployed, are to be ſubordinate to the Committee of both Kingdoms, and in caſe of diſagreement, an appeal lies to the two Houſes of the Parliament of* England, *in whom the power of proſecuting the War is to be ſettled. And we muſt inſiſt to deſire that the Lord Lieutenant, and the Judges in that Kingdom, may be nominated by the two Houſes of Parliament, who have by ſad experience (to the greateſt coſt of this Kingdom, expence of ſo much Treaſure and Blood, the loſs of many thouſand lives there, and almoſt of that whole Kingdom from His Majeſties Obedience, and an ineſtimable prejudice to the true Proteſtant Religion,) found the ill conſequence of a bad choice of Perſons for thoſe great places of Truſt. Therefore for His Majeſties honour, the good of his ſervice, the great advantage it will be to the reſt of his Majeſties Dominions, the great comfort to all good Chriſtians, and even an acceptable ſervice to God himſelf, for the attaining of ſo much good, and the prevention of ſo much evil, they deſire to have the Nomination of thoſe great Officers, that by a prudent and careful Election, they may by providing for the good of that now miſerable Kingdom diſcharge their duty to God, the King, and their Country. And certainly if it be neceſſary to reduce that Kingdom, and that the Parliament of* England *be a faithful Councel to his Majeſty, and fit to be truſted with the proſecution of that War, (which His Majeſty was once pleaſed to put into their hands, and they faithfully diſcharged their part in it, notwithſtanding many practices to obſtruct their proceedings, as is ſet forth in ſeveral Declarations of Parliament) then we ſay your Lordſhips need not think it unreaſonable that His Majeſty ſhould engage himſelf to paſs ſuch Acts as ſhall be preſented to him, for raiſing Moneys, and other Neceſſaries, for that War, for if the War be neceſſary (as never War was more) that which is neceſſary for the maintaining of it muſt be had, and the Parliament that doth undertake and manage it, muſt needs know what will be neceſſary, and the People of* England, *who have truſted them with their Purſe, will never begrudge, what they make them lay out upon that occaſion, nor need His Majeſty fear the Parliament will preſs more upon the Subjects then is fit in proportion to the occaſion: It is true, that heretofore Perſons about His Majeſty have endeavoured and prevailed too much, in poſſeſſing him againſt the Parliament for not giving away the Money of the Subject, when His Majeſty had deſired it. But never yet did His Majeſty reſtrain them from it, and we hope it will not be thought that this is a fit occaſion to begin; We are very glad to find that your Lordſhips are ſo ſenſible in your expreſſions of the Blood and Horror of that Rebellion, and it is without all queſtion, in His Majeſties Power to do Juſtice upon it, if your Lordſhips be willing that the Ceſſation and all Treaties with thoſe Bloody and Unnatural Rebels be made void, and that the proſecution of the War be ſettled in the two Houſes of the Parliament of* England, *to be managed by the joynt advice of both Kingdoms, and the King to aſſiſt, and to do no Act to diſcountenance or moleſt them therein: This we dare affirm to be more than a probable courſe for the remedying thoſe miſchiefs, and the preſerving the remainder of His Majeſties good Subjects there. We cannot believe your Lordſhips will think it fit, there can be any agreement of Peace, any reſpite from Hoſtility with ſuch Creatures, as are not fit to live no more than with Wolves or Tygers, or ravenous Beaſts, deſtroyers of Mankind. And we beſeech you do not think it muſt depend upon the condition of His Majeſties other Kingdoms, to revenge or not revenge Gods quarrel upon ſuch perfidious Enemies to the Goſpel of Chriſt, who have imbrued their hands in ſo much Proteſtant Blood, but conſider the Ceſſation that is made with them, is for their advantage, and rather a Protection than a Ceſſation of Acts of Hoſtility, as if it had been all of their own contriving; Arms, Ammunition, and all manner of Commodities may be brought unto them, and they may furniſh themſelves, during this Ceſſation, and be aſſiſted and protected in ſo doing, that afterwards they may the better deſtroy the ſmall remainder of His Majeſties Proteſtant Subjects. We beſeech your Lordſhips, in the Bowels of Chriſtian Charity, and Compaſſion to ſo many poor Souls, who muſt periſh, if the ſtrength of that raging Adverſary be not broken, and in the Name of him who is the Prince of Peace, who hates to be at Peace with ſuch ſhedders of Blood, give not your conſents to the continuation of this Ceſſation of War in* Ireland, *and leſs to the making of any Peace there, till Juſtice have been fully executed upon the Actors of that accurſed Rebellion. Let not the Judgment of War within this Kingdom, which God hath layed upon us for our ſins, be encreaſed by ſo great a ſin, as any Peace or Friendſhip with them whatſoever becomes of us, if we muſt periſh, yet let us go to our Graves*

with

An. 1644. *with that comfort, that we have not made Peace with the Enemies of Chriſt, yea, even Enemies of Mankind, declared and unreconciled Enemies to our Religion and Nation: Let not our War be a hindrance to that War, for we are ſure that Peace will be a hindrance to our Peace: We deſire War there, as much as we do Peace here, for both we are willing to lay out our Eſtates, our Lives, and all that is dear unto us in this World; and we have made Propoſitions unto your Lordſhips for both, if you were pleaſed to agree unto them: We can but look up to God Almighty, beſeech him to encline your hearts, and caſting our ſelves on him, wait his good time for the return of our Prayers in ſettling a ſafe and happy Peace here, and giving ſucceſs to our Endeavours in the Proſecution of the War of* Ireland.

It hath been uſed by the Commiſſioners, during the Treaty, that when Papers were delivered in of ſuch length, and ſo late at Night that preſent particular anſwers could not be given, by agreement between themſelves, to accept the anſwers the next day, dated as of the day before, although they were Treating of another Subject; and theſe two laſt Papers concerning *Ireland* being of ſuch great length, and delivered about Twelve of the Clock at Night, when the Treaty in time was expiring, ſo as no anſwer could be given without ſuch conſent and agreement, therefore the King's Commiſſioners delivered in this Paper.

22. *February.*

CLXXIX. YOur Lordſhips cannot expect a particular anſwer from us this Night, to the two long Papers concerning *Ireland*, delivered to us by your Lordſhips, about Twelve of the Clock this Night; but ſince there are many particulars in thoſe Papers, to which, if they had been before mentioned, we could have given your Lordſhips full ſatisfaction. And for that we preſume your Lordſhips are very willing to be ſatisfied in thoſe particulars, which ſo highly reflect upon his Majeſty, we deſire your Lordſhips to receive the anſwers which we ſhall prepare to thoſe Papers, in the Evening to Morrow, dated as of this Night, and we doubt not to give your Lordſhips clear ſatisfaction therein.

This deſire was not granted, nor any Paper delivered in anſwer to it, but ſoon after the Treaty broke off.

During the twenty days Treaty upon Religion, Militia, *and* Ireland, *the particular paſſages whereof are before expreſſed, ſome other paſſages did occur, concerning His Majeſties Propoſitions, and particularly for a* * Ceſſation, *and touching* His Majeſties return to Weſtminſter *after Disbanding of Armies, and further time for continuing or renewing the Treaty, which do here follow. And firſt touching His Majeſties Propoſitions, the Kings Commiſſioners delivered in this Paper the ſecond day of the Treaty.*

* *It is the ſixth of His Majeſties Propoſitions.*

1. *February.*

CLXXX. *See His Majeſties Propoſitions No. 8. and the Letter from the Earl of* Eſſex, *No. 9. that their Commiſſioners ſhould have Inſtructions to Treat upon them.* WE deſire to know, whether your Lordſhips have any Inſtructions concerning His Majeſties Propoſitions, for ſettling a ſafe and well grounded Peace; and if you have any touching the ſame, we deſire to have a ſight of them.

Their Anſwer, 1. *Feb.*

CLXXXI. WE *have not yet received Inſtructions concerning His Majeſties Propoſitions, and ſhall therefore acquaint the Lords and Commons Aſſembled in the Parliament of* England, *with the deſires expreſſed in that Paper, who having taken thoſe Inſtructions into their conſideration, before our coming from them, will ſend them to us in time convenient.*

After,

20 *Caroli.*

After, upon the 3d. of *February*, His Majeſties Commiſſioners delivered this Paper, concerning His Majeſties ſixth Propoſition, for a Ceſſation of Arms.

3. *Feb.*

WE deſire to know, whether your Lordſhips have received any Inſtructions concerning that Propoſition of His Majeſties for a Ceſſation; and if your Lordſhips have not received any, that you will endeavour to procure Authority to Treat thereupon, which we have power to do, and conceive it very neceſſary, that during the time we are endeavouring to eſtabliſh a bleſſed and happy Peace, the iſſues of blood may be ſtopped in this miſerable Kingdom, and His Majeſties oppreſſed and languiſhing Subjects, have ſome earneſt and proſpect of the Peace we are endeavouring, by Gods bleſſing, to procure for them. CLXXXII.

To this no particular Anſwer was given.

The Kings Commiſſioners Paper, 10. Feb.

HAving now ſpent three days ſeverally, upon each of your Lordſhips three Propoſitions concerning *Religion*, the *Militia*, and *Ireland*, we deſire to know whether your Lordſhips have received any Inſtructions concerning His Majeſties Propoſitions, that we may prepare our ſelves to Treat upon them, when your Lordſhips ſhall think fit. CLXXXIII.

Their Anſwer, 11. *Feb.*

WE *have received Inſtructions concerning His Majeſties Propoſitions, and when the Houſes of Parliament ſhall be ſatisfied, in the good Progreſs of the Treaty upon their Propoſitions concerning* Religion, *the* Militia, *and* Ireland, *they will give time for the Treaty upon thoſe Propoſitions ſent by His Majeſty.* CLXXXIV.

But there was not any time given to Treat upon His Majeſties Propoſitions.

Touching further time for continuing, or reviving the Treaty; and His Majeſties return to Weſtminſter, *after Diſbanding, theſe Papers were delivered.*

The Kings Commiſſioners Paper, 14. Feb.

WE have this day received directions from His Majeſty, to move your Lordſhips, that you will endeavour to procure an addition of time for this Treaty, after the expiration of the days limited for the ſame, upon the reaſons mentioned in His Majeſties Letter, which Letter we herewith deliver to your Lordſhips. CLXXXV.

The Letter mentioned in the laſt Paper, from His Majeſty to his Commiſſioners, is this:

RIght, Truſty, *&c.* having received from you a particular accompt of your proceedings in the Treaty, and obſerving thereby how impoſſible it is, within the days limited, to give ſuch full anſwers to the three Propoſitions you are now upon, as you might, if upon Conſideration had of the reſt of the Propoſitions, you could clearly ſee, what fruit ſuch Anſwers will produce in order to a bleſſed Peace, for the preſent and the future good and happineſs of this Kingdom: We have thought it fit to adviſe you, That you propoſe and deſire of the Commiſſioners with CLXXXVI.

An. 1644. with whom you Treat, that they will procure ſuch farther time to be allowed, after the expiration of the Twenty days, as may be ſufficient for you, upon a full underſtanding one of another upon the whole, to make ſuch a concluſion, that all our Subjects may reap the benefit good men pray for, Deliverance from theſe Bloody Diſtractions, and be united in Peace and Charity; and if you think fit, you may communicate this our Letter to them. And ſo we bid you heartily farewel. *Given at Our Court at* Oxford, 13. Feb. 1644.

By His Majeſties Command,
GEORGE DIGBY.

To Our Right Truſty, *&c.* the Lords and others Our Commiſſioners for the Treaty at *Uxbridge.*

Their Anſwer, 14. *Feb.*

CLXXXVII *Concerning the Paper delivered by your Lordſhips for addition of time for the Treaty, We can give no other anſwer, then that we will ſend Copies of His Majeſties Letter, and of the Paper, unto the Houſes of Parliament, and after ſignification of their pleaſure, we will give further anſwer.*

Afterwards on the 18th. of *Feb.* they delivered this Paper.

18. *February.*

CLXXXVIII. *Your Lordſhips may pleaſe to take notice, that in the twenty days appointed to Treat upon the Propoſitions concerning* Religion, Militia, *and* Ireland, *the firſt* Thurſday, *and three* Sundays, *are not to be included.*

The King's Commiſſioners Paper, 20. Feb.

CLXXXIX. BY our Paper delivered to your Lordſhips the 14th. of this month, we moved your Lordſhips to endeavour an addition of time for this Treaty, after the expiration of the days limited for the ſame, upon the reaſons mentioned in His Majeſties Letter, which Letter we then delivered to your Lordſhips; whereunto your Lordſhips then returned anſwer, That you would ſend Copies of His Majeſties Letter, and of our Paper to the Houſes of Parliament, and after ſignification of their pleaſure, you would give farther anſwer: We now deſire to know, whether there may be an addition of time for this Treaty, after the expiration of the days limited for the ſame, upon the reaſons mentioned in His Majeſties ſaid Letter, and what time may be added.

Their Anſwer, 20. *Feb.*

CXC. *Your Lordſhips Paper of the 14th. of this month, for an addition of time for this Treaty, together with His Majeſties Letter concerning the ſame, were ſent by us to the Houſes of Parliament, who (* as we have already acquainted your Lordſhips) have declared, That if they ſhall be ſatisfied in the good progreſs of the Treaty upon the Propoſitions, concerning* Religion, *the* Militia, *and* Ireland, *will give time for the Treaty upon the Propoſitions by His Majeſty; but farther than this, have not, as yet, ſignified their pleaſure unto us.*

* *See their Paper before* 11. Feb. No. 184.

The King's Commiſſioners Paper, 20. Feb.

CXCI. HAving now ſpent eighteen days with your Lordſhips, in the Treaty upon *Religion*, the *Militia*, and *Ireland*, and beſides the preſent ſatisfaction we have given your Lordſhips in thoſe particulars, we having offered that further conſideration, and order be taken therein by His Majeſty, and the two Houſes of Parliament; and your Lordſhips having propoſed many important things in the ſaid ſeveral particulars to be framed, ſettled, and diſpoſed by the two Houſes, before a full agreement can be eſtabliſhed, we propoſe to your Lordſhips, whether the two days remaining may not be beſt ſpent, towards the ſatisfying your Lordſhips in thoſe three Propoſitions, and the procuring a ſpeedy bleſſed Peace, upon finding out ſome expedient for *His Majeſties repair to Weſtminſter*, that ſo all differences may

may be compoſed, and this poor Kingdom be reſtored to its Ancient happineſs and ſecurity; and to that purpoſe if your Lordſhips ſhall think fit, we are willing to Treat with your Lordſhips concerning the beſt means whereby (all Armies being firſt Disbanded) His Majeſty may with honour, freedom, and ſafety, be preſent with his two Houſes of Parliament at *Weſtminſter*: To which two particulars, that is, firſt concerning the Disbanding all Armies, and then for His Majeſties ſpeedy repair and reſiding at *Weſtminſter*, with Honour, Freedom, and Safety, we ſhall (if your Lordſhips think fit) apply our ſelves, and accordingly to morrow, will be ready to deliver to your Lordſhips ſome Propoſitions upon that ſubject; and if your Lordſhips ſhall concur with us herein, we hope it will be a good inducement to procure an addition of time to this Treaty, according to His Majeſties Propoſition in his late Letter to Us, which we delivered to your Lordſhips. 20 *Caroli.*

Their Paper, 20. Feb.

CXCII. WE *ſhall according to mutual agreement between His Majeſty and the two Houſes of the Parliament of* England, *and the Commiſſioners for the Parliament of* Scotland, *Treat theſe two remaining days upon the three Propoſitions for* Religion, *the* Militia, *and* Ireland, *and ſhall be glad to receive ſatisfaction in them from your Lordſhips, as the beſt expedient for procuring a ſpeedy and bleſſed Peace, that the Armies may be Disbanded, and the happineſs of His Majeſties preſence may again be enjoyed by thoſe, who have nothing more in their Prayers and Endeavours, then by His Majeſties Conjunction with his Parliament to ſee all theſe ſad differences compoſed, and theſe diſtracted Kingdoms reſtored to their Ancient happineſs and ſecurity: Accordingly we ſhall be ready to begin again to morrow upon the Propoſitions for* Religion, *and receive what your Lordſhips will propoſe, and being ſatisfied upon that and the other two Propoſitions, we are confident we ſhall have further time given us to Treat upon ſuch other particulars, as ſhall be neceſſary for the attaining of thoſe ends we all deſire.*

There was no other anſwer given concerning His Majeſties Commiſſioners deſire to Treat touching his return to *Weſtminſter*, and Disbanding Armies, whereupon His Majeſties Commiſſioners delivered this Paper:

26. *Feb.*

CXCIII. WE conceive that the reaſons why your Lordſhips do not give us any Anſwer to our Paper, concerning the Treating for the Disbanding all Armies, and for His Majeſties coming to *Weſtminſter*, may be becauſe you have no Authority by your Inſtructions ſo to do, though we propoſed the ſame to your Lordſhips, and do ſtill conceive it moſt conducing to the concluſion of the Propoſitions upon *Religion*, the *Militia*, and *Ireland*, upon which we have Treated. And we therefore deſire your Lordſhips, that you will endeavour to have your Inſtructions ſo enlarged, that we may Treat upon ſo important and neceſſary an expedient for the publick Peace. In the mean time we ſhall be ready to receive whatſoever your Lordſhips pleaſe to propoſe in the buſineſs of *Religion*, preſuming, that if your Lordſhips are not ſatisfied with our Anſwer therein, in which we have applied remedies to whatſoever hath ever been complained of as a grievance in the preſent Government of the Church, that your Lordſhips will make it appear * that the Government by Biſhops is unlawful; or that the Government you intend to introduce in the room thereof, is the only Government that is agreeable to the Word of God; either of which being made evident to us, we ſhall immediately give your Lordſhips full ſatisfaction in that you propoſe.

* *See their Paper No. 68. referring to this.*

The King's Commiſſioners Paper, 22. *Feb.*

CXCIV. BY our Paper delivered to your Lordſhips 1. *February*, we did deſire to know, whether your Lordſhips have any Inſtructions concerning His Majeſties Propoſitions for ſettling a ſafe and well grounded Peace; and by our Paper of the 3. *Feb.* we did deſire to know, whether your Lordſhips had received any Inſtructions concerning that Propoſition of His Majeſty for a Ceſſation: and if your Lordſhips had not received any, that you would endeavour to procure Authority to Treat thereupon. And by our Paper of the 10th. of *Feb.* we did deſire to know whether your Lordſhips had received any Inſtructions concerning His Majeſties Propoſitions, that we might prepare our ſelves to Treat upon them, when your Lordſhips ſhould think

An. 1644. think fit; and by our Paper delivered to your Lordſhips 14th. *Feb.* we moved your Lordſhips upon directions received from His Majeſty, that you would endeavour to procure an addition of time for this Treaty, after the expiration of the days limited for the ſame, upon the reaſons mentioned in His Majeſties Letter, which Letter we then delivered to your Lordſhips; and by our Paper delivered to your Lordſhips the 20th. of this month, we moved your Lordſhips to endeavour an addition of time for this Treaty, after the expiration of the days limited for the ſame, upon the reaſons mentioned in His Majeſties ſaid Letter, to which we have not yet received full anſwer, nor have we yet had any notice from your Lordſhips, whether the two Houſes of Parliament have given any further time for this Treaty; and having hitherto, according to the order preſcribed us, Treated only upon the three firſt Heads of *Religion*, the *Militia*, and *Ireland*, and the twenty days expiring this day, we again deſire to know, whether there is any addition of time granted for this Treaty, our ſafe Conduct being but for two days longer.

Their Anſwer, 22. *February.*

CXCV. *YOur Lordſhips Papers of the firſt, third, and tenth of* Feb. *whether we had any Inſtructions concerning His Majeſties Propoſitions and Power to Treat for a Ceſſation, as alſo your Papers of the* 14th. *and* 20th. *of* Feb. *concerning His Majeſties Letter for an addition of time to this Treaty, with your Lordſhips deſire thereupon, have been by us ſent up to both Houſes of Parliament from time to time, as we received them, together with our Anſwer given to them; and in our Anſwers we have from time to time declared to your Lordſhips, That when the Houſes ſhall be ſatisfied in the good progreſs of the Treaty, upon their Propoſitions concerning* Religion, Militia, *and* Ireland, *they will give an addition of time for the Treaty: And we do conceive, that if your Lordſhips Anſwers to our Demands concerning* Religion, *the* Militia, *and* Ireland, *had been ſuch, as to have given ſatisfaction in the good progreſs of this Treaty, mutually conſented for twenty days upon the ſaid Propoſitions, we ſhould have before this been enabled with power to continue the Treaty, as well upon His Majeſties as the reſt of the Propoſitions. But your Lordſhips having not given full and ſatisfactory Anſwers concerning* Religion, *the* Militia, *and* Ireland, *you cannot, for the reaſons above mentioned, expect an addition of time; neither have we received any Inſtructions to continue this Treaty longer than the twenty days, of which this is the laſt: And as for your Lordſhips ſafe Conduct, we conceive the three* Sundays *laſt paſt being not accompted any days of the Treaty, ſo this next* Sunday *is not to be eſteemed one of the two days allowed after the Treaty in your Lordſhips ſafe Conduct, but your Lordſhips are to have two days beſides this next Lords day.*

The Kings Commiſſioners Reply, 22. February.

CXCVI. WE cannot expreſs the great ſadneſs of our hearts, that all our earneſt endeavours to give your Lordſhips ſatisfaction in all particulars of this Treaty, have produced no better effects towards a bleſſed Peace, which His Majeſty, and we who are truſted by him, do ſo heartily pray for, and that ſo many and great offers made by us to your Lordſhips, in the particulars we have treated upon, ſhould not be thought a good progreſs on our part in the ſaid Treaty, as we find by your Lordſhips laſt Paper (to our great grief) they are not; and therefore that this muſt be the laſt day of the Treaty, we deſire your Lordſhips to conſider, that we being intruſted by His Majeſty to Treat with your Lordſhips for a ſafe and well-grounded Peace, have upon the matter of your Lordſhips Propoſitions, conſented to ſo many particulars and alterations of very great importance, and that your Lordſhips, who were to Treat with us, have not abated one tittle of the moſt ſevere and rigorous of your Propoſitions, ſaving what you were pleaſed the laſt Night to propoſe in the point of time concerning the Militia, which though it ſeems to be limited to ſeven years, in truth leaves it as unlimited as it was before in your Propoſitions, for at the end of ſeven years, it muſt not be exerciſed otherwiſe than ſhall be ſettled by His Majeſty and the two Houſes of Parliament, ſo that all the legal power now in His Majeſty is taken away, and not reſtored after the ſeven years expired. Neither is there a full conſent to that limitation offered by your Lordſhips the Commiſſioners of the Parliament of *Scotland*: Nor have your Lordſhips offered to us any proſpect towards Peace, other then by ſubmitting totally to thoſe Propoſitions, the which if we ſhould do, we ſhould conſent to ſuch alterations, as by Conſtructions and Conſequences may diſſolve the whole frame of the preſent

20 *Caroli.*

preſent Government, both Eccleſiaſtical and Civil, in this Kingdom. And though the particulars propoſed by your Lordſhips, have by debate appeared, not only evidently unreaſonable, but literally conſidered, to comprehend things, to be extended, to powers not intended by your ſelves, yet your Lordſhips have not been pleaſed, either to reſtrain or interpret any particular in any other manner, then is ſet forth in the ſaid Propoſitions.

In the matter of *Religion*, we have offered all ſuch alterations, as we conceive may give ſatisfaction to any objections that have been, or can be made againſt that Government, and have given your Lordſhips reaſons, not onely why we cannot conſent to your Lordſhips Propoſitions, but that even thoſe Propoſitions if conſented to, could not be in order to a Reformation, or to the procuring the publick Peace. And we muſt deſire your Lordſhips to remember, that though you do not onely in your Covenant (which you require may be taken by His Majeſty, and injoyned to be taken by all His Subjects) undertake the Reformation in point of Government, but even in point of Doctrine too, thereby laying an imputation upon the Religion it ſelf, ſo long profeſſed in this Kingdom with the general approbation of all reformed Churches; yet your Lordſhips have not given us the leaſt argument, nor ſo much as intimated in your debate, the leaſt prejudice to the Doctrine of the Church of *England*, againſt which we preſume you cannot make any colourable objection; nor have you given us the view in particular, of the Government you deſire ſhould be ſubmitted to, in the place of that you propoſe to be aboliſhed; and therefore we propoſe to your Lordſhips, if the alterations propoſed by us, do not give your Lordſhips ſatisfaction, that ſo great an alteration as the total abolition of a Government eſtabliſhed by Law, may for the importance of it, and any reformation in Doctrine, for the ſcandal of it, be ſuſpended, till after the disbanding of all Armies, His Majeſty may be preſent with the two Houſes of Parliament, and calling a National Synod, may receive ſuch advice both from the one and the other, as in a matter of ſo high concernment is neceſſary; And we are moſt confident that His Majeſty will then follow the advice which ſhall be given him. And as any Reformation thus regularly and calmly made, muſt needs prove for the ſingular benefit and honour of the Kingdom; ſo we muſt appeal to your Lordſhips, whether the contrary, that is an alteration even to things though in themſelves good, can, by the principles of Chriſtian Religion, be enforced upon the King or Kingdom?

In the buſineſs of the *Militia*, though your Lordſhips do not deny that the Jealouſies and apprehenſions of danger are mutual, and that the chief end of depoſiting the *Militia* in the hands of certain Perſons, is for ſecurity againſt thoſe Jealouſies and poſſible dangers, yet your Lordſhips inſiſt, That all thoſe Perſons to be entruſted, ſhall be nominated by the two Houſes of Parliament of *England*, and the Eſtates of the Parliament of *Scotland*, and that the time for that great General, and unheard of Truſt, ſhall be in ſuch manner, that though it ſeem to be limited to ſeven years, yet in truth by declaring, That after thoſe ſeven years, it ſhall not be otherwiſe exerciſed then His Majeſty and the two Houſes of Parliament ſhall agree, and his Majeſty may thereby be totally, and for ever diveſted of the power of the Sword, without which he can neither defend himſelf againſt Forreign Invaſions, or Domeſtick Inſurrections, or execute his Kingly Office in the behalf of his Subjects to whom he is ſworn to give protection: And to both theſe your Lordſhips add the introducing a Neighbour Nation, governed by diſtinct and different Laws (tho' united under one Sovereign) to a great ſhare in the Government of this Kingdom. In ſtead of conſenting to theſe changes, we have offered and propoſed to your Lordſhips, That the Perſons to be truſted with the *Militia* of the Kingdom, may be nominated between us; or if that were refuſed, That an equal number ſhall be named by you, and the other number by his Majeſty, and that half the Forts and places of ſtrength within the Kingdom, ſhall be in the cuſtody of thoſe whom you think fit to be truſted therewith, and the other half, in ſuch hands as his Majeſty pleaſe to commit the ſame to. And all perſons as well thoſe nominated by your Lordſhips, as by His Majeſty, to take an Oath for the due diſcharge of the ſaid Truſt, which being conſidered as the ſecurity is mutual, ſo neither part can be ſuppoſed to violate the agreement, without very evident inconvenience and danger to that part who ſhall ſo violate it, the whole Kingdom being likely, and indeed obliged to look upon, whoſoever ſhall in the leaſt degree violate this agreement,

An. 1644

as the authors of all the miſeries which the Kingdom ſhall thereby ſuffer. And as it is moſt reaſonable, that for this ſecurity, His Majeſty ſhould part with ſo much of his own power as may make him even unable to break the agreement, which ſhould be now made by him and on his part, ſo it is moſt neceſſary, that all apprehenſion and danger of ſuch breach being over, that ſovereign power of the *Militia* ſhould revert into the proper Channel, and be, as it hath always been in His Majeſties proper and peculiar charge: And therefore we have propoſed that the time limited for that truſt, ſhould be for three years, which by the bleſſing of God, will produce a perfect underſtanding between His Majeſty and all His people; and if there ſhould be any thing elſe neceſſary to be done in this argument, either for power or time, that the ſame be conſidered after the ſettlement of peace in Parliament; but whatever is now, or hereafter ſhall be thought neceſſary to be done, we deſire may be ſo ſettled, that this Kingdom may depend upon it ſelf, and not be ſubject to the Laws or advice of *Scotland*, as we think fit that *Scotland* ſhould not receive rules or advice from this, having offered the like for *Scotland* as for *England*.

In the buſineſs of *Ireland* your Lordſhips propoſe not only, that His Majeſty diſclaim and make void the Ceſſation, made by his Royal Authority, and at the deſires of the Lords Juſtices, and Council of that Kingdom, and for the preſervation of the remainder of His poor Proteſtant Subjects there, who were in evident danger of deſtruction, both by Famine and the Sword; but alſo to put the whole managery of that War and diſpoſal of the Forces within that Kingdom, and conſequently the Government of that Kingdom, into the hands of the *Scots* General, to be managed by the advice of a joynt Committee of both Kingdoms, wherein each ſhould have a Negative Voice; In Anſwer to which, we have acquainted your Lordſhips, with the juſt grounds of His Majeſties proceedings in the buſineſs of *Ireland*, which we are confident, being weighed without prejudice, may ſatisfie all men of His Majeſties Piety and Juſtice therein; And we are very ready and deſirous, to joyn with your Lordſhips in any courſe which may probably preſerve and reſtore that miſerable Kingdom.

Having put your Lordſhips in mind of theſe particulars, as they have a general reference to the publick good of the Kingdoms, we beſeech your Lordſhips to conſider, that we have this great Truſt repoſed in us by His Majeſty, and to remember how far theſe Propoſitions trench upon His peculiar Kingly Rights, without any, or any conſiderable recompence or compenſation.

In the buſineſs of *Religion*, your Lordſhips propoſe the taking away His whole Eccleſiaſtical Juriſdiction, His Donations, and Temporalties of Biſhopricks, His firſt Fruits, and Tenths of Biſhops, Deans and Chapters, inſtead whereof your Lordſhips do not offer to conſtitute the leaſt dependance of the Clergy upon His Majeſty; and for that ſo conſiderable a part of His Revenue, you propoſe only the Biſhops Lands to be ſetled on His Majeſty, (reſerving a power to diſpoſe even thoſe Lands as you ſhall think fit) whereas all the Lands both of Biſhops, Deans and Chapters (if thoſe Corporations muſt be diſſolved) do undoubtedly belong to His Majeſty in His own Right.

In the buſineſs of the *Militia*; as it is propoſed, His Majeſty is ſo totally diveſted of the Regal Power of the Sword, that He ſhall be no more able, either to aſſiſt any of His Allies with aid, though men were willing to engage themſelves voluntarily in that ſervice, or to defend His own Dominions from Rebellion or invaſion, and conſequently the whole power of Peace and War (the acknowledged and undoubted Right of the Crown) is taken from him.

In the buſineſs of *Ireland*, the power of nominating his Lieutenant, or Deputy, and other Officers there, of managing, directing, or in the leaſt manner of medling in that War, or of making a Peace, is propoſed to be taken from him; and to add to all theſe attempts upon his Kingly Rights, it is propoſed to bereave him of the power of a Father, in the Education and Marriage of his own Children, and of a Maſter, in the rewarding his own Servants; And therefore we refer it to your Lordſhips, whether it be poſſible for us, with a good Conſcience and diſcharge of the Truſt repoſed in us, to Conſent to the Propoſitions made to us by your Lordſhips? Laſtly, we muſt obſerve to your Lordſhips, That after a War of near four years, for which the Defence of the Proteſtant Religion, the Liberty and Property of the Subject, and the priviledges of Parliament were made the cauſe and grounds, in a Treaty of Twenty days, nor indeed in the whole Propoſitions upon which the Treaty ſhould be, there hath been nothing offered to be Treated, concerning the breach of any Law, or of the Liberty or Property

perty of the Subject, or priviledge of Parliament; but only Propoſitions for the altering a Government Eſtabliſhed by Law, and for the making new Laws, by which almoſt all the old are, or may be cancelled; and there hath been nothing inſiſted on of our part which was not Law, or denied by us, that you have demanded, as due by Law. 20 *Caroli.*

All theſe things being conſidered, and being much afflicted that our great hope and expectation of a Peace, is for the preſent fruſtrated by your Lordſhips * Declaration, that no more time will be allowed for this Treaty, we are earneſt Suitors to your Lordſhips, that you will interpoſe with the two Houſes, to whom we believe you have tranſmitted the Anſwers delivered by us to your Lordſhips upon *Religion*, the *Militia*, and *Ireland*, that this Treaty, though for the preſent diſcontinued may be revived, and the whole matter of their Propoſitions, and thoſe ſent to them by His Majeſty, which have not yet been Treated on, may be conſidered; and that depending that Treaty, to the end we may not Treat in Blood, there may be a Ceſſation of Arms, and that the poor people of this Kingdom, now expoſed to Plundrings and Spoils, and other direful effects of War, may have ſome earneſt of a bleſſed Peace. And becauſe this Treaty is now expiring, if your Lordſhips cannot give a preſent Reſolution, we deſire when you have repreſented this to the two Houſes, His Majeſty may ſpeedily receive their Anſwer. * *See their laſt Paper.*

Their Anſwer, 22. *Feb.*

CXCVII.

WE conceive your Lordſhips cannot in reaſon expect an anſwer to the long Paper delivered to us very late this Night at the cloſe of the Treaty a thing of many days labour, which we apprehend to be rather a Declaration upon the Treaty, then any part thereof, and we could not imagine would be offered, but we cannot forbear, upon the reading thereof, to mention thus much, That it ſeems by many particulars in that Declaration, it was reſolved the Treaty ſhould end with the twenty days, the means to continue it being well known to be a good progreſs in the Propoſitions for Religion, *the* Militia, *and* Ireland, *and by what we have received, we cannot find any ſatisfaction in theſe was intended to be agreed unto.*

To that, whereby your Lordſhips aſcribe ſo much to your own Conceſſions, we ſhall only ſay, That for Religion *you have granted very little or nothing, but what we have already in poſſeſſion of by the Laws of this Kingdom. For the buſineſs of the* Militia, *your Lordſhips have not thought fit, to conſent to any one of our demands, but in that, as in* Religion, *have made ſome new Propoſitions of your own, which are not in any degree ſufficient for ſettling and ſecuring the peace of the Kingdoms. As for the Propoſitions for* Ireland, *your Lordſhips have been ſo far from affording a conſent thereto, that you have juſtified the deſtructive Ceſſation there, and ſtrongly implyed an intention to renew the ſame, and have not yielded to any part of our Propoſitions concerning that Kingdom; we ſhall repreſent your Lordſhips Papers to the Parliaments of both Kingdoms, who upon due conſideration thereof, will do what is farther neceſſary for the good and peace of His Majeſties Dominions.*

Beſides theſe ſeveral deſires above-mentioned from time to time for addition, and enlargement of time, for continuing and prolonging the Treaty, or if diſcontinued, that it might be revived, and after a repreſentation to the Houſes, their Anſwer might be ſent to His Majeſty; in another Paper before, *No.* 135. upon the head of the *Militia*, His Majeſties Commiſſioners did propoſe, That if the Treaty might not then continue, it might be adjourned for ſuch time as they ſhould think fit, and not totally diſſolve, but be again reſumed; which Paper is not here inſerted, to avoid repetition, being before upon the head of the *Militia*, and to which, as to that point of Adjournment, no anſwer was given.

No Papers were given into their Commiſſioners, in anſwer to the laſt mentioned Paper, dated 22. *Feb. No.* 197. which came in about Two of the Clock in the Morning after; nor to that of the ſame date, *No.* 135. concerning the *Militia*, which came in with it; nor to their two laſt concerning *Ireland* of the 22. of *Feb. No* 177. and 178. which came in about Twelve of the Clock that Night, all which were of ſuch length, and delivered upon the cloſe of the Treaty, and thoſe which came in about Two of the Clock upon the departure of the Commiſſioners, that it was impoſſible to give preſent anſwers, nor could any be given after, as part of the Treaty, without conſent, which was required by His Majeſties Commiſſioners, but not granted; neither is any thing here inſerted in anſwer to thoſe Papers,

An. 1644. Papers, becauſe by the agreements between the Commiſſioners in the beginning of the Treaty, nothing was to be taken as part of the Treaty, but what ſhould be put in Writing. And this Relation is intended only for a Narrative of the Treaty (conformable to the agreements) without any obſervations upon it, or addition to it, other then neceſſary Introductions, and Tranſitions for coherence, and more clear underſtanding the paſſages of the Treaty.

See them in the Narrative, No. 136. 177. & 178.

His Majeſties Anſwers to certain Papers delivered in to his Commiſſioners at Uxbridge, *upon the cloſe of the Treaty, concerning the* Militia, *and* Ireland, *&c.*

HAving received an account of the paſſages of the late Treaty from our Commiſſioners, we cauſed a Narrative thereof to be made and publiſhed, wherein beſides the neceſſary connexions there is nothing ſet down but what paſſed in Writing; but becauſe their laſt Paper upon the ſubject of the *Militia*, and two laſt Papers concerning *Ireland*, were delivered upon the cloſe of that Treaty; although we conceive the anſwers given in the Papers formerly delivered by our Commiſſioners, are abundantly ſufficient to give ſatisfaction to thoſe alſo: Yet becauſe there may be a want of memory in ſome, and of obſervation in others, who ſhall read that Narrative, to bring home and apply the former anſwers of our Commiſſioners to thoſe papers; and becauſe they ſeem to expect anſwers, which (the Treaty being determined) cannot be given by our Commiſſioners, and to vindicate our Self from many paſſages ſcattered in thoſe Papers, particularly reflecting upon Our Perſon, and Royal Authority, We have thought fit, for the further ſatisfaction of all Our good People, to make theſe enſuing Anſwers.

** See it in the Narrative, No. 136.*

*And firſt to that * Paper concerning the* Militia.

WHoſoever ſhall obſerve the paſſionate expreſſions in the cloſe of this Paper, (wherein *they do moſt earneſtly deſire our Commiſſioners, as they tender the deplorable Eſtate of theſe bleeding Kingdoms, the ſettling Religion, our Honour, and the compoſing theſe miſerable Diſtractions, to give full and clear anſwers to the demands concerning the Militia*) might very well believe, that they who ſo importunately demanded, would as willingly have received an anſwer. But when it ſhall be conſidered, that this Paper was not delivered in till after Two of the Clock in the Morning, upon the breaking off the Treaty, when they had denied any further time to Treat, or to receive any Papers dated as within the time of the Treaty, (as formerly was mutually done, and this very Paper of theirs, delivered in truth upon the 23d. was received as dated the 22. of *February*) it will be moſt apparent they kept it as a reſerve to be purpoſely, and by deſign delivered ſo, as it ſhould remain unanſwered.

For the matter of that Paper, they ſay, They *have by their anſwers ſatisfied the ſeveral queſtions propoſed to them by our Commiſſioners touching the Militia*, It was neceſſary they ſhould have done ſo, that it being propoſed to Us to part with ſo great a Truſt as the power of the Sword, and to put it wholly out of our own hands, we might know how, and to whom, and for what time, and upon what terms we parted with it. But we will look back upon ſome of their anſwers, that it may appear what they are.

See the Narrative, No. 77.

Our Commiſſioners deſired to know, who the Commiſſioners ſhould be, in whoſe hands the Forces both by Sea and Land ſhould be entruſted; and whether we might except againſt ſuch perſons, and name others in their places, of known affections to Religion and Peace. To that part of the queſtion, whether we might except againſt

20 *Caroli.*

againſt the perſons, they made no anſwer; to the other part, requiring who the Commiſſioners ſhould be, they anſwered, *That the Commiſſioners were to be named for* England *by the two Houſes, and for* Scotland *by the Eſtates of the Parliament there*; whereas the queſtion was not, who ſhould name thoſe Commiſſioners, but who they were that ſhould be named, a thing moſt neceſſary for us to know, before we entruſted them with ſo great a power. No. 78.

Our Commiſſioners deſired to know, whether the Militia of *London* ſhould be independent, and not ſubordinate to thoſe Commiſſioners? They anſwered, *It appeared by the Propoſitions, the ſame was to be ordered in ſuch manner, as ſhould be agreed on by both Houſes.* Which was no anſwer to the queſtion, though likewiſe neceſſary to be known, the Militia of *London* being ſo great, and of ſuch importance. No. 80. No. 81.

Our Commiſſioners deſired to know, what Authority the Commiſſioners, nominated by the Eſtates of the Parliament of *Scotland*, were to have in the Militia, and ſettling of all Forces by Sea and Land in this Kingdom, and what influence the advices and orders from the Eſtates of that Parliament, ſhould have upon this Kingdom? They anſwered, *That might be fully ſatisfied by the Propoſitions concerning the Militia.* And though our Commiſſioners deſired it, they could get no other anſwer from them in Writing. No. 105, & 107. No. 106, 107, 112.

Our Commiſſioners deſired to know, what Juriſdiction they intended the Commiſſioners of both Kingdoms ſhould have, by the power given to them to hear and determine all differences that might occaſion the breach of the Articles of the Peace, and by what Law they ſhould proceed to hear and determine the ſame? They anſwered, *That the Commiſſioners were to proceed in ſuch manner as was expreſſed in the Propoſitions.* Whereas the Propoſitions expreſs no more, then what is contained in the Words of the queſtion. And being further preſſed to an anſwer, they anſwered, *That the matter of the Juriſdiction of the Commiſſioners was expreſſed in the Propoſitions*; and for the manner of exerciſing of it, and by what Law they ſhould proceed, *The ſame was to be ſettled by the two Houſes of the Parliament of* England, *and the Eſtates of the Parliament of* Scotland *reſpectively.* This being no anſwer, and a full and direct anſwer being required to theſe queſtions, the anſwer given was, *That they referred themſelves therein to their former anſwers.* No. 109. No. 110. No. 111. No. 113, 115.

Our Commiſſioners deſired to ſee the Act of the late Treaty for the ſettling of the Garriſon of *Berwick* of the 29th. of *November*, 1643. (being made betwixt the two Houſes and thoſe of *Scotland*, without our privity) as relating to the buſineſs of the *Militia*, They anſwered, *It was not then to be Treated on, but was reſerved to its proper time*, and our Commiſſioners could never ſee it. No. 116. No. 117.

Our Commiſſioners deſired to know, whether by the joint power mentioned in the propoſitions to be given to the Commiſſioners for both Kingdoms, to preſerve the Peace between the Kingdoms, and the King and every one of them, they intended any other then Military power for ſuppreſſing Forces only, which queſtion was asked, becauſe in the propoſition, there are two diſtinct Clauſes, one whereby they have that power to preſerve the Peace; the other, whereby they have power to ſuppreſs Forces: In anſwer to this, they refer our Commiſſioners to the propoſitions. No. 118. No. 119.

That theſe anſwers (though made to queſtions ariſing upon the doubtful expreſſions in their Propoſitions) referring to the Propoſitions themſelves, or to what was not then, but was after to be ſettled by the two Houſes, are not ſatisfactory anſwers to thoſe queſtions, is moſt evident, but we do not wonder they were unwilling we ſhould ſee the clear drift of thoſe Propoſitions, the ill conſequence whereof (which hereafter appears) we are willing to believe moſt of thoſe who agreed unto them, did not at firſt apprehend.

They ſay, *They marvail why it ſhould be inſiſted on, that the Commiſſioners for the* Militia *ſhould not be nominated by the two Houſes only, and that we who were to be equally ſecured, ſhould name* * *none, ſince this power was not to be exerciſed, till a Peace concluded upon the Treaty, and then we had been ſecured by the Laws of the Kingdom, and by the duties and affections of our Subjects*: We think it far more matter of wonder (ſince it is confeſſed, that we, and ſuch our Loyal Subjects, who have faithfully

* *Theſe are their Words, but ſeem to be miſtaken, for our Commiſſioners always inſiſted, We ſhould name ſome of them.*

An. 1644.

faithfully and conſtantly adhered to us, were equally to be ſecured) that they would allow us no ſecurity at all, but to put our ſelves wholly upon them, who even afterwards in this Paper, deny our Juſt power of the *Militia*, and of making Peace and War, and might with much more colour hereafter do ſo, if by our conſent that power ſhould be once, though for a time only, put wholly into their hands. It is true, the Laws of the Land, and the Hearts of the people, are the beſt ſecurity for a Prince that he ſhall enjoy what belongs to him: But it is as true, that the Laws of the Land, and the Love of the Prince towards his people are likewiſe their beſt ſecurity that they ſhall enjoy what belongeth to them; it is a mutual confidence each in other, that ſecures both: But this is to be underſtood in calm and quiet times, the preſent diſtempers have bred mutual Jealouſies, and if they think it not at this time reaſonable wholly to Truſt the Laws and Us concerning their ſecurity, but require the power of the Militia, in which they have no Right, much leſs is it reaſonable, that we ſhould wholly truſt them concerning our ſecurity, who avowedly bear Arms againſt us; but if for the love of Peace we are content for a time to part with this great power which is our known Right, it is reaſonable that we ſhould have the nominating of ſome of thoſe who ſhould be truſted with it; yet on our part we were well content to repoſe our ſelves in that ſecurity they mention, if the two Houſes would likewiſe have relyed upon the ſame ſecurity of the Laws, and affections of the people, to which they ſo much pretend: But though it was offered that we ſhould return to our two Houſes, whereby all Armies being Diſbanded, both they and we, might have been reſtored to the Laws, and guarded by thoſe affections of the people, yet that was not admitted. They ſay, *This Power of the Militia was not to be exerciſed till after a Peace*, but they do not remember it is to be agreed on before a Peace, and propoſed in order to a Peace; and we might with as much reaſon (and far more Juſtice, in reſpect of our undoubted Right over the Militia of this Kingdom) have inſiſted upon the ſole nomination of the Commiſſioners, becauſe their power was not to be exerciſed till a Peace concluded, as they for that cauſe to have excluded Us from the Nomination of an equal number, and aſſumed that power wholly to themſelves, not affording us ſo much as the liberty to except againſt any of them. And whereas they ſay theſe Commiſſioners for the Militia, *have a Rule preſcribed, and being removeable and liable for any miſcarriage to a ſevere puniſhment, cannot do any thing to our prejudice, contrary to the truſt repoſed in them*: If they had ſuch a Rule (which yet by their Propoſitions and Papers we cannot find, having by general and indefinite terms and unlimited power given to them) it proves they ſhould not, not that they would not break it. He that hath power (as theſe Commiſſioners would have the greateſt that ever Subjects had) and will to abuſe that power, may extend and interpret the Rule preſcribed him, as he ſhall pleaſe himſelf, and therefore ſince out of our ardent deſire of Peace, we were content to part with this power; we had reaſon to require, that at leaſt ſome of thoſe who ſhould execute it, might be ſuch, whom we our ſelves ſhould nominate, and could truſt.

See our Commiſſioners Paper, touching our Return to the two Houſes, after Diſbanding of Armies, No. 191.

For that which is ſaid, that *if the Commiſſioners had been ſeverally choſen, the memory of theſe unnatural diviſions muſt needs have been continued, and probably being ſeverally named, they would have acted dividedly according to ſeveral intereſts, and the War thereby might be more eaſily revived.* It is apparent the memory of the War muſt as much continue where any Commiſſioners are named at all, as where they are named by either party, ſince by putting that power into their hands, it is put out of the proper Channel, but it is not the memory of a paſt War that is dangerous, but ſuch a remembrance of it, as is joyned with a deſire or inclination to revive it: And if it were probable, as is alledged, that if the Commiſſioners were partly choſen by us, and partly by them, that being ſeverally named, they would have acted dividedly according to ſeveral Intereſts, it would be much more probable, that being wholly named by them, they would have acted only according to their Intereſt, and ſo on our part, inſtead of an equal ſecurity, we muſt have been contented with what Laws and Conditions they would have impoſed. But we ſhall again remember, that the offer on our part, was to name ſuch, *againſt whom there could be no juſt exception, if the perſons were named equally betwixt us.* It was likewiſe offered, *That thoſe Commiſſioners ſhould take an Oath for the true diſcharge of their Truſt, that We Our Selves were willing to take an Oath to obſerve the Articles of the Treaty, and that all perſons of any immediate truſt by Offices or Attendance upon Us, and all others whom they ſhould nominate, ſhould take the like*

No. 130.

Oath,

Oath, and with ſuch penalties, that whoſoever ſhould infringe the agreement, ſhould be accounted moſt pernicious enemies to us and the Kingdom. And if this way of mutual nomination were not approved, there was another propoſed, that the Perſons ſhould be nominated between our Commiſſioners, and theirs, by whoſe mutual conſent, it might well have been hoped, ſuch perſons might have been named, in whom we and they might have confided; but to this no anſwer hath been vouchſafed, nor could any thing ſatisfie concerning the Militia, unleſs, without knowing who the perſons were who ſhould be entruſted, we ſhould with an implicite Faith in Perſons whom we did not know, put that power into their hands. 22 Caroli.

They ſay, that though by their Propoſitions the Commiſſioners were to continue without any limitation of time, *yet they have ſince propoſed a time of ſeven years.* We know not that they have, during the whole Treaty, in any one particular, receded from inſiſting on their demands, as they are ſet down in their Propoſitions *in terminis.* And in this point though they ſeem to reduce the time, which in their Propoſitions was indefinite, to a certainty, to which yet the *Scottiſh* Commiſſioners have not abſolutely agreed, the alteration is more in ſhew, than in deed, and rather to the heightning, than abating their demand; for whereas they have limited the time to ſeven years, yet it is with an additional clauſe, That after thoſe ſeven years, it was to be executed as We and they ſhould agree, and not otherwiſe; ſo that though the Commiſſioners ſhould have the power but for ſeven years, yet we ſhould not have it after thoſe ſeven years, nor at any time unleſs they and we could agree in it: ſo much would they have gained by this ſeeming compliance in point of limitation of this power to a time, though not to that time of three years, which we propoſed. But they juſtifie the reaſonableneſs of it, for whereas our Commiſſioners in their Paper, (to which this of theirs is applied as an anſwer) tell them, that if the time for this power be unlimited, *we and our poſterity ſhall for ever part with our peculiar Regal Power, of being able to reſiſt our enemies, or protect our good Subjects, and with that undoubted and never denyed right of the Crown to make War and Peace, or ever more to have juriſdiction over our own Navy and Fleet at Sea.* (the Command thereof being alſo a part of this great power to be given to theſe Commiſſioners.) They anſwer plainly, *They cannot admit of this peculiar Regal Power, which our Commiſſioners mention to reſide in us, concerning the Militia, and to make Peace and War, or that it is otherwiſe to be exerciſed then by authority from us and both Houſes of Parliament of* England, *and the Eſtates of the Parliament of* Scotland *reſpectively.* We approve of their ingenuity, that now at the breaking off of the Treaty, they tell us in plain terms what they mean, though the Common Law-books and Records of Parliament have mentioned, that the ſole power of protecting the Subjects, belongs to the King, and that he alone hath power to make Peace and War, though it hath been the language of former Parliaments, even of the laſt Parliament, and at the beginning of this Parliament, *that the power of Peace and War is in the King, but if he will have money from His Subjects to maintain the Wars, he muſt have their conſents,* and though the univerſal conſent and common opinion heretofore hath gone accordingly: yet they cannot admit thereof as to have been our Right (for the anſwer is made to the aſſertion concerning our right) And not admitting it, it ſeems their Oaths of Allegiance and Supremacy, to defend our Crown and Dignity, and to aſſiſt and defend, all *Juriſdictions, Priviledges, and Authorities* belonging to us oblige them not; And as they do not admit this power in right to have been in us alone for the time paſt, ſo neither will they admit it for the time to come, in Us, or Our ſucceſſors to be able to reſiſt our Enemies, or protect our Subjects, or to make Peace or War, but it muſt be, *by authority from Us and the two Houſes, and the Eſtates of the Parliament* of Scotland *reſpectively.* They are to be aſſociated in theſe Regal powers, and the Scepter and the Sword may in Pictures or Statutes, but are not indeed to be in hand alone. Upon theſe grounds We wonder not that they would have the Navy and Fleet at Sea, to be put into the hands of their Commiſſioners for ſeven years as the Militia for the Land, and after the ſeven years to be commanded in ſuch manner as they and we ſhould agree and not otherwiſe, for they ſay, *the reaſons are the ſame for them, as for the Militia by land:* It is a principal means they ſay of their ſecurity, and We cannot find they think themſelves to have any ſecurity, if We and Our Succeſſors have any power; But if We will part with Our Power wholly unto them We and Our Poſterity ſhall be fully ſecured by the affections of Our Subjects (that is by the Lords and Commons now at *Weſtminſter,* who in their ſenſe repreſent all the people) who by themſelves during the Parliament, or when they ſhall pleaſe to make any receſſes by their Commiſſioners during the

An. 1644. intervals, will free us from the burthen of the *Militia*, and of Our Navy, and ſo of protecting Our Subjects, and will ſave Us the Charge of Our Navy, becauſe *it is to be principally maintained by the free gift of the Subject out of Tonnage and Poundage, and other Impoſitions upon Merchandiſe.* And having taken this care for Our ſecurity (ſuitable to all their Actions theſe three years laſt paſt) They ſay, that *for ſecurity of thoſe who have been with Us in the War, an Act of Oblivion is deſired to be paſſed, whereby all Our Subjects would have been put in one and the ſame condition, and under the ſame protection, with ſome exceptions mentioned in the Propoſitions.* We are not willing to mention thoſe exceptions, by which not onely moſt of Our beſt Subjects (who have been with Us in the War according to their duties) by expreſs or general terms are excepted, but all the Eſtates of ſome of them, and a great part of the Eſtates of the reſt of them for that very cauſe, becauſe they were with Us in the War, are to be forfeited; As for ſecuring them by an Act of Oblivion, they have leſs cauſe to deſire it, then they who propoſe it, as being more ſecured by the Conſcience of doing their duties, and the protection of the known common Law of the Land, if it might take place, then any protection under the two Houſes, or their Commiſſioners for the *Militia*; yet We were not unwilling for the ſecurity of all Our Subjects to have aſſented to an Act of Oblivion, being willing as much as in Us lies, to have made up theſe breaches, and buried the memory of theſe unhappy Diviſions.

It was urged by our Commiſſioners, that according to the literal ſenſe of the Propoſitions (in the powers given to the Commiſſioners for the Militia) *That Sheriffs and Juſtices of Peace, and other legal Miniſters could not raiſe the* Poſſe Comitatus, *or Forces to ſuppreſs Riots, without being liable to the interpretation of the Commiſſioners.* To this they anſwer, *That this is no part of the* Militia *to be exerciſed by the Commiſſioners, but in executing of Juſtice and legal Proceſs, nor can be intended to be any diſturbance, but for the preſervation of the Peace* We ſhall admit that to be their meaning, but it being by the Propoſitions made Treaſon in any, *who ſhall levy any Forces without authority or conſent of the Commiſſioners, to the diſturbance of the publick Peace*, it is apparent that the Sheriffs or Juſtices of Peace, if they raiſe any Forces to ſuppreſs any tumultuous Aſſembly, (which it is poſſible ſome of the Commiſſioners may countenance) or for executing of other legal Acts, may not onely be lyable to the interpretation of being diſturbers of the publick Peace, but feel the puniſhment of it. And whereas they ſay; *That the Power* (given by the Propoſitions to the Commiſſioners for the *Militia* of both Kingdoms as a joynt Committee) *for the hearing and determining Civil Actions and differences cannot be extended further then preſervation of the Articles of the Peace to be made*: We conceive that a Court being thereby allowed to them for the hearing and determining of Civil matters for the preſervation of the Articles of the Peace, they may in order thereunto (upon pretence it is for the preſervation of the Peace) entertain and determine any cauſe or difference they pleaſe, eſpecially their power by the propoſitions being *not only to preſerve the Peace, but to prevent the violation of the Articles of the Peace*; and having the power of the Sword in their hands, and being not tyed up to any certain Law, whereby to judge, (for ought appears by their anſwers to the queſtions propoſed by Our Commiſſioners) and the common Law not being the rule in ſuch caſe, (becauſe part of them are to be of the *Scotiſh* Nation) they may without control exerciſe what arbitrary power they pleaſe.

And whereas it is inſiſted upon in this paper, That an anſwer be given to the fifteenth propoſition, which is, *That the Subjects be appointed to be Armed, Trayned, and Diſciplined in ſuch manner as both Houſes ſhall think fit*; which Our Commiſſioners thought fit to have deferred till after the peace eſtabliſhed, and then to be ſettled by Us and the two Houſes: It is apparent, that propoſition concerned not (that which was deſired as the end of their propoſitions) the ſecurity for the obſervation of the Articles, and We conceive there is already ſufficient proviſion made by the Law in ſuch caſes, and if there were not, it were fit that that defect were ſupplied by Law, not to be left at large, as the two Houſes ſhould think fit, without expreſſing the manner of it, but to proceed by a Bill, wherein we might ſee before we conſented to it, how Our Subjects ſhould be charged, we being as much concerned and ſenſible of the burden to be put upon Our Subjects, as the two Houſes can be, who, We are ſure, ſince they took upon them the authority of impoſing upon their fellow Subjects without Us, have laid the heavieſt Impoſitions that ever were.

And

20 Caroli.

And whereas they ſay, the ſcope of thoſe their Propoſitions touching the Militia, *was to take away occaſions of future differences, to prevent the raiſing of Arms and to ſettle a firm and durable Peace:* If we look upon the whole frame of their *Militia*, as they have propoſed it to us, we cannot but conclude thoſe Propoſitions to be moſt deſtructive to thoſe ends: For firſt, they have propoſed it to us (as they have ſettled it already by their Ordinance) That the whole *Militia* of *Ireland*, as well of Our *Engliſh* Subjects as *Scottiſh*, ſhall be Commanded by *Leſley* Earl of *Leven* their *Scottiſh* General, and be managed by the joint advice of the *Scottiſh* and *Engliſh* Commiſſioners, and therein the *Scottiſh* as well as the *Engliſh* to have a Negative Voice, and ſo by conſequence ſubjecting the whole Government of that Kingdom to the manage of Our *Scottiſh* Subjects. And (having thus ordered the *Militia* of *Ireland*, where they will be ſure to keep Forces on Foot (for that is another part of the Propoſitions, *That We ſhould aſſent to whatſoever Acts ſhall be propoſed for moneys for the War of Ireland*) which Forces ſhall be ready upon all occaſions to ſerve them) For the *Militia* and Navy of *England*, that is likewiſe to be ordered and Commanded by theſe Commiſſioners, and though We their Sovereign are denyed no nominate any to be joint Commiſſioners, they are content to admit thoſe of *Scotland* (who though Our Subjects, yet are ſtrangers to their Government) to a nomination of *Scottiſh* Commiſſioners to be joyned with them. Theſe *Scottiſh* Commiſſioners in matters wherein both Kingdoms are jointly concerned (and they may eaſily call, and make what they will to be of joint concernment) are to have a Negative Voice; ſo that the *Engliſh* can do nothing without them, not ſo much as to raiſe Force to ſuppreſs a Commotion, or prevent an Invaſion, if the *Scottiſh* Commiſſioners, though not a third part of the number of the *Engliſh*, ſay it is of joint concernment; And in matters ſolely concerning *England*, the *Scottiſh* Commiſſioners (to a third part of the whole number of the Commiſſioners) are to reſide in *England*, and to Vote as ſingle Perſons.

Theſe Commiſſioners, as well *Scottiſh* as *Engliſh*, as they have the ſole power of the Forces by Sea and Land, ſo they muſt have a Court in a Civil way, to hear and determine whatſoever Civil action that ſhall tend to the preſervation of the Peace, or whatſoever elſe is for the prevention of the violation of it, within which general words, and in order thereunto, they may comprehend any cauſe or thing they pleaſe; And as theſe Commiſſioners, as well *Scottiſh* as *Engliſh*, are to name all Commanders and Officers in Our Forts and Ships, ſo in the intervals of Parliament, leſt there ſhould be too much dependance upon us, they are to name all the great Officers and Judges of both Our Kingdoms of *England* and *Ireland*.

To theſe ſo unreaſonable Propoſitions, wherein the Parliament and Subjects of *Scotland*, would have ſo great an influence and power over the Kingdoms of *England* and *Ireland*, if (as reflecting meerly upon our ſelves, and not entertaining ſuch thoughts of our *Scottiſh* Subjects, as perhaps ſome may by the danger of ſuch a power) we ſhould have agreed, as hoping that the good affections of our Subjects in *Scotland*, might in time have reſtored to us that power which the two Houſes of *England* would take away; yet when we conſider, that we are in conſcience obliged to maintain the Rights of Our Crown, ſo far as to be able to protect Our Subjects, and what jealouſies and heartburnings, it might probably produce betwixt Our Subjects of the two Kingdoms, what reluctancy all Our Subjects here may have, when they ſhall ſee Our Power ſo ſhaken, and they muſt have ſo much dependency upon their fellow-Subjects both *Engliſh* and *Scotch*, We conceive it ſo far from being *a remedy to the preſent diſtempers*, (as they affirm in their papers) that as at preſent it would alter the whole frame and conſtitution of the Government of this Kingdom, both Civil and Military, ſo in the concluſion it would occaſion the ruin and deſolation of all Our Kingdoms.

An. 1644.

His MAJESTIES *Anſwer to the two Papers concerning* IRELAND.

IT hath been one of the chiefeſt deſigns of the Authors of the preſent diſtractions, to inſinuate unto our people, that We were either privy to the Rebellion in *Ireland*, or aſſenting to the continuance of it; And if it could not be perſonally fixed upon Our ſelf, yet to perſwade them into a belief that evil Councellors, and others prevalent with us did encourage and aſſiſt it. By this means having a colour to raiſe Forces, and to levy money for the ſupply of thoſe Forces, they might ſo diſpoſe of both, as under a pretence of ſuppreſſing the Rebels in *Ireland*, they might thereby alſo raiſe a War in *England*, for the effecting of their Ambitious and Covetous deſires in both Kingdoms; And they ſo carried on this deſign, that whereas out of Our earneſt deſire of the relief of Our poor Subjects in *Ireland*, and to ſhew the great ſenſe we had of their miſeries, We had given way to ſeveral unuſual Bills for raiſing of Forces, and likewiſe to the Bill for the 400000 *l.* for the adventurers and others, for raiſing of Moneys, (which Moneys by thoſe Acts were to be paid to particular Perſons, or otherwiſe out of the ordinary courſe, and not into Our Exchequer (as was uſual in like caſes thence to be iſſued for publick uſe) thoſe ſupplies were diverted and imployed to feed and nouriſh a Rebellion in *England*, rather than to ſuppreſs that in *Ireland*. Thus 100000 *l.* of the Adventurers Money was imployed for the Earl of *Eſſex* his Army when he firſt Marcht againſt us, and that imployment of it, though contrary to the expreſs words of the Act, which are, that no part of that Money ſhall be imployed to any other purpoſe, then the reducing of thoſe Rebels, was publickly juſtified by a Declaration made in the name of the Houſe of Commons, the 6th of *September*, not long before the battail at *Edge-Hill*, and at the ſame battail, ſeveral Regiments of Horſe and Foot raiſed for *Ireland*, under the Command of the Lord *Wharton*, Lord of *Leny*, S. *Faithful Forteſcue* and others, were imployed againſt us at *Edge-Hill*, the moneys raiſed upon the Bill of 400000 *l.* and others have been wholly made uſe of againſt Us; And it was impoſſible, without thus working themſelves (under the ſpecious pretence of ſuppreſſing the Rebellion of *Ireland*) into the managery of that War, and miſapplying the aids intended for *Ireland*, to have brought this Kingdom into the bleeding and deſperate condition wherein it now languiſheth.

The Propoſitions concerning *Ireland*, as they are inſiſted upon by theſe Commiſſioners (though in charity we ſhall hope not ſo intended by all of them) are apparently in purſuance of that original deſign, in begetting a ſuſpicion of our integrity in that buſineſs of *Ireland*, and ingroſſing the managing of that War, and the Power of that Kingdom into their hands. They would have the Ceſſation (which We have avowed to be aſſented to by Us, and adviſed as moſt neceſſary for the preſervation of that Kingdom) to tend *to the utter deſtruction of the Proteſtants there*, and the continuance of the Ceſſation there, (though but during the War here) *to be a countenancing of that bloody Rebellion*, and We our ſelves are charged *to be privy, and to give directions for the ſeiſing of ſome proviſions* made, and ſent for the ſupply of the Proteſtants in *Ireland*. In the next place, concerning the War there, they demand that the proſecution of that War be ſettled in both Houſes of Parliament, to be managed by the advice of both Kingdoms of *England* and *Scotland* (that is, a Committee of both Kingdoms, thoſe of each Kingdom to have a negative voice) and all the Forces there, to be under the Command of the *Scotch* General: The Lieutenant and other great Officers and Judges there, to be nominated by both Houſes, and that we ſhould conſent to paſs all Acts to be propoſed by them, for the raiſing of moneys, and other things neceſſary for the proſecution of that War. And notwithſtanding all the zealous and pathetical expreſſions in thoſe Papers, deſiring the continuance of that War, and the execution of Juſtice upon thoſe Rebels: It is not barely the proſecution of the War in zeal of Juſtice that is deſired, that might be managed either by Us (whom God and the Law have entruſted ſolely with that power, and whoſe Predeceſſors have alone, and without the concurrence of their Parliaments, other then by competent aſſiſtance with moneys, ſuppreſſed great Rebellions in that Kingdom) or by fit Miniſters to be appointed, upon juſt occaſion to be removed by Us, They have not made any the leaſt

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Propoſition or deſire to that purpoſe But they inſiſt upon ſuch a proſecution of the War, wherein thoſe who are in Arms againſt us, may have the ſole managing of the War, and of Money to maintain that War, even while they are in Arms againſt us. For the Ceſſation already made, it is apparent it was the only viſible means, whereby the Kingdom was preſerved, the poor Proteſtants there being in danger inevitably to have periſhed, either by Famine, for want of Food, or by the Rebels, for want of Ammunition, there being not above Forty Barrels of Powder there, as appears by the Letters of the Lords Juſtices and Councel of *Ireland*, mentioned by our Commiſſioners, and no Supplies of Victuals or Money ſent in ſix months time before thoſe Letters (although our Ships were then taken away from Us, and all the Forces at Sea belonging to this Kingdom, were under their Command) Neither could the not making void, or declaring againſt that Ceſſation, have hindered a Peace upon this Treaty, if it had been intended really on their part, it being to expire in *March*, and ſo before the Treaty could probably have been perfected, and there being no further Peace or Ceſſation made in *Ireland*, and therefore our Commiſſioners did earneſtly deſire them to make ſuch Propoſitions, as were fit to be conſented to, for the growth of the Proteſtant Religion, and the good of that Kingdom. 20 Carol.

But inſtead of ſuch Propoſitions, they ſtill except againſt the Ceſſation, and though expiring within a month, they inſiſt upon their demands of *an Act of Parliament to make that Ceſſation void*, to which if we ſhould have conſented, as we muſt have rendered our ſelves uncapable of being truſted at any time after, and odious abroad in breaking that Ceſſation, ſolemnly made by our publick Miniſters of State in *Ireland*, and after conſented unto by our ſelves, ſo we muſt have implicitly confeſſed, contrary to the truth, that which they alledge againſt the Ceſſation, that it was deſtructive to the Proteſtants there, and a countenancing of that Bloody Rebellion, and thereby having loſt the Plea of our Innocency, have alſo loſt the Hearts of our people, and rendred our ſelves guilty of thoſe Infamous Slanders which have been charged upon Us concerning the *Iriſh* Rebellion, and which ſome were ſo willing to fix upon Us, that even during this Treaty, when *Mack Quire* was Impeached by them for this Rebellion, for which he was by them after Executed, (though they well knew Confeſſions of men in his condition, in hopes of Pardon or Reprieves are not to be credited) he was ſtrictly examined concerning Us (as we are credibly informed) whether or no we gave any Commiſſion to the Rebels of *Ireland*, or any Aſſiſtance to them, and if he had not abſolutely denied it to his laſt, with more ſenſe of Conſcience in that particular, then they who examined him expected, it is likely whatſoever untruths reflecting upon Us had been forced from him, had been (as others were) publiſhed to Our diſgrace. And although they long queſtioned the Credit and Truth of thoſe Letters of the Lords Juſtices and Councel of *Ireland*, notwithſtanding one of them being directed to the *Speaker* of the Houſe of Commons, was received and communicated to the Houſe, and Ours was but a Duplicate thereof, and Copies were delivered to them of both Letters, which two of their Commiſſioners compared with our Originals, and ſaw the Names of all the Councel-Subſcribers, as well as the two Lords Juſtices, ſome of which Councellors were of principal eſtimation with themſelves, and they might alſo have had Copies of their Names who Subſcribed, if they would have aſſured Our Commiſſioners, that ſuch of them as ſhould have come into their Quarters, ſhould not have been prejudiced by it; yet the extremity of Our poor *Engliſh* Subjects, inducing that Ceſſation, being ſo notorious, and that Atteſtation thereof undeniable, they fall at laſt to confeſs and avoid them. They ſay, *That ſome who were of the Councel when thoſe Letters were written, aſſure them, that thoſe Letters were written only to preſs for Supplies, without any intention of inducing a Ceſſation, neither do the Letters contain any mention of a Ceſſation.* It is true thoſe Letters do not, nor was it alledged they did mention any Ceſſation, but they preſſed for Supplies from hence, and laid open their Neceſſities to be ſuch, that it was apparent to any man (as we had alſo private Advices from ſome of the Councel there, and of Credit with thoſe at *Weſtminſter*) that if Supplies failed, there was no way for the preſervation of Our good Subjects there, but by a Ceſſation. And theſe bleeding wants of Our Army, and good Subjects there, ſo earneſtly calling for Relief, and (this Kingdom being then ingaged in the height of an Unnatural War) Our Selves unable to ſupply them, and no timely ſupply, nor hopes of it coming from the two Houſes, what courſe leſs diſhonourable for Us, or more for the good and ſafety of the poor *Engliſh* there could be taken,

An. 1644. ken, then to admit of a Treaty for a Ceſſation, which was ma[illegible] lick Miniſters of State there, and that Ceſſation aſſented unto as [illegible] dom, by the chief Officers of the Army, and the Lords Juſti[illegible] *Ireland*, before Our Approbation thereof.

They ſay, That *thoſe Neceſſities were made by a deſign of the* [illegible] *cal Party*, (the Prelatical Party muſt come in upon all terms, [illegible] more by the *Iriſh* Rebellion, nor were leſs advantaged by the [illegible] poor Prelates) *and that at this very time, when the Proteſtants* [illegible] *ty, Proviſions ſent thither by the Parliament for their relief,* [illegible] *afforded to the Rebels:* The Letters of the Lords Juſtices and Council, tell us, That no Proviſions at all were ſent by the Parliament, and if they had not told it, yet this being barely affirmed, might as eaſily be denied, unleſs they had inſtanced in particular, what Proviſions were ſent, and how, and when, and by whom, or to whom they were diſpoſed. But they ſay, That *at the ſame time the Officers of the Army and Garriſons, preſſing for leave to march into the Enemies Country to live upon them, and ſave their own Stores; ſome could not obtain leave to go, and thoſe who were drawn forth, had great quantities of Proviſions out with them, yet were not permitted to go into the Enemies Country, but kept near* Dublin, *till their Proviſions were ſpent, and then Commanded back again.* They might remember, at that time (wherein they ſuppoſe this miſcarriage) the chief manage of thoſe Affairs was in the hands of ſuch Miniſters of State, whom they did, and do ſtill rely upon; but ſure thoſe Miniſters are not to be blamed, if they durſt not ſuffer the Soldier to march far, or ſtay long in the Enemies Country, when there was but forty Barrels of Powder in all the Store, or if they called them back in ſuch caſe when the Enemy approached.

Let ſuch as theſe, or what other pretences and excuſes ſoever be made for not relieving *Ireland*, we are ſure the chief Impediment to it was their active promoting this Rebellion in *England*; and therefore, as they made uſe of the Supplies both of Men and Money, provided for that Kingdom, againſt Us at *Edge-Hill*: So from the time of that Battel (ſome Supplies ſent before (which elſe perhaps had been alſo Countermanded) arriving in *Ireland*, about the time, or ſhortly after that Battel) they were ſo careful of recruiting and ſupplying their Armies here, that though they received much Moneys for *Ireland*, and had at their diſpoſal great ſtore of Our Ammunition, neither the one nor the other, was ever after afforded to the *Engliſh* Army and Forces, or to the Proteſtants about *Dublin*, though the Ceſſation was not made till *September* following. As for thoſe Proteſtants in *Munſter*, *Connaught*, and *Ulſter*, who, they ſay, oppoſed the Ceſſation, *and did and do ſtill ſubſiſt*, they were moſt of them of our *Scottiſh* Subjects, the reſt (excepting ſome few wrought upon by private Intereſt or particular Solicitation) were ſuch, who being under their power, were forced for their relief to concur with them againſt it. Theſe indeed, as they did not ſuffer under ſo great wants as the *Engliſh* at the time of the Ceſſation, as is well known, though it ſeem to be denied, more ſpecial Proviſions being made for them, and for their Garriſons, then for the *Engliſh*, (as doth in great part appear even by the Articles of their Treaty of the 6th. of *Auguſt*) ſo they have ſince ſubſiſted by Supplies ſent from the two Houſes whereof none were ſuffered to partake but ſuch as take their new Covenant, and doubly break the Bonds of their Obedience and Duty, both by taking that dangerous enſnaring Oath prohibited by God and their King, and oppoſing our Miniſters of State there, without whoſe Authority (a Ceſſation being concluded) during that Ceſſation they ought not to have continued a War in that Kingdom. We eaſily believe the Proviſions they mention are, or may be, ſent for ſupply of thoſe Forces as being a means to keep up a Party againſt Us there, and to have a Reſerve of an Army ready upon any accidents of War to be drawn hither againſt Us, and being alſo neceſſary for the ſatisfaction of Our *Scottiſh* Subjects (whom they muſt pleaſe) who would not be ſo forward in their Service without ſome good aſſurance (ſuch as is the having an Army of theirs kept on foot in *Ireland*, at the charge of this Kingdom, and two of our ſtrongeſt Towns and Caſtles there delivered to them Cautionary Towns, as we may believe *Berwick* alſo is (being denied the ſight of the Treaty) and by the Command of all the *Engliſh* Forces there by the General of the *Scots*) that they ſhall be well paid the Arrears to the Armies in both Kingdoms before they quit their Intereſt in *Ireland*. If we ſhall allow Proviſions thus imployed to be for the preſervation of the *Engliſh* Proteſtants in *Ireland*,

we may believe they have repaid the 100000 *l.* taken up of the Adventurers Money; and yet, thus to re-satisfie this Money, admitting it be currant satisfaction for the Debt, can be no satisfaction or excuse for the former *diversion.*

But since they cannot excuse themselves for this diversion of the Adventurers Money, nor of the other Moneys raised for *Ireland*, nor of the imploying the Forces raised for that Kingdom, under the Command of the Lord *Wharton*, against us at *Edge-Hill*, which they deny not, They fall to recriminate us.

They say, *They have mentioned particulars of Provisions for* Ireland, (besides those few Clothes taken near *Coventry*, which being formerly answered by our Commissioners, they do not again urge) *asserted to be seized, not without our own knowledge and directions, as they were informed.* This they had formerly alledged, and our Commissioners had answered as we do now) that they have instanced no particulars at all of any such provisions seized. And whereas they say, that our *forbearance to seize some provisions* (which our Commissioners alledged in our greatest wants, we forbore to take, though they lay in Magazines, within our own Quarters, but took order to send away into *Ireland*) *was no excuse for seizing others*, they misapply that to be an excuse, which was alledged as an evidence that we seized none, since we might in our great want have seized those if we had been minded to have seized any.

They say again, *The service of that Kingdom was much prejudiced, by denying the Lord* Wharton's *Commission, of which they have not received satisfaction* To this it hath been already answered, that those Forces were raised for him, before any Commission demanded from us, and that the Commission for him proposed to us, was, to have been independant of the Lieutenant of that Kingdom; Causes (though not satisfactory to them) yet sufficient in themselves to justifie our refusal. But besides these, it is apparent the Army which was brought down against us, was their raising, that the Lord *Wharton* was one of the most active in it, and we had cause to be confident (nor did he fail us therein) that what Forces he should raise for *Ireland*, he would imploy against us in *England*, neither did that service depend upon the Lord *Wharton*, other able Officers were appointed over those Forces, whom (if they had as much affected that service as the person of the Lord *Wharton*) they might have trusted with the Transport of them to *Ireland*, where others of more Experience and fitter for Conduct, then the Lord *Wharton*, might have taken the Charge of them. They say further, That it was *one end for which the Cessation was made, that the Forces might be brought hither to us out of* Ireland, *and imployed against the two Houses.* The bleeding Necessities of the poor *English* there (which have been mentioned, and whereof they cannot but be convinced) will best speak the cause of that Cessation, and the sight of those Souldiers half starved, when they came over, having neither Clothes to their Backs, nor so much as Shoes to their Feet, nor any pay to provide either, will witness the necessity of bringing them over; when there was no subsistance for them in *Ireland*, nor use for them there, during the Cessation; and for making use of them here, how can they quarrel at our imploying our own *English* Soldiers, who should otherwise have Disbanded, when they make use of an Army of *Scots* against Us.

They have been told, that they brought over out of *Ireland* the Earl of *Leven*, their General, and divers *Scottish* Officers, (which they deny not) and that before the *English* Forces brought over, they attempted the bringing once the *Scottish* Forces in *Ireland*, as likewise divers *English* Officers there into this Kingdom; to which all the answer given is, *That the* Scottish *Forces which came over, were not sent for.* Which as it denies not what is objected, so neither can it excuse their not sending them back to the service of *Ireland*, and imploying them here in an Unnatural Rebellion against Us.

But whatsoever their own acts or failings have been in this business of *Ireland*, and though apparently the Necessities, which caused the Cessation, were occasioned by the two Houses, yet rather than they shall be guilty of the blame and neglect therein, our people must be made to believe, that either there were no such Necessities, or when that is so apparent, then that those Necessities were designed and contrived by a Popish and Prelatical party, prevalent with us, and the Supplies

An. 1644.

plies denied and ſtopped by Our Self, and ſo that it is reaſona[illegible] preſs and inſiſt, (as they do with much fervour) in their laſt [illegible] *Ireland*, upon their demands for the ſettling of the proſecution of [illegible] ſelves, or the *Scots*, excluding Us, and that there ſhall be no fu[illegible] Peace made there; (though the War ſhould continue here,) to h[illegible] tion of the Lieutenant, and all the great Officers there, and to hav[illegible] to aſſent to whatſoever acts they ſhall propoſe for Moneys, or [illegible] for the proſecution of that War, and if we agree not to theſe [illegible] are like to be charged *with countenancing of that Bloody Rebellion.*

And therefore (though the unreaſonableneſs of thoſe Propoſitio[illegible] fully laid open by our Commiſſioners in their Paper, yet becauſe this of theirs is framed in anſwer to thoſe, and the fervency and fluency of their expreſſions may make impreſſions on thoſe who do not warily weigh the matter) We ſhall examine what new inforcements they bring to make good thoſe demands.

The proſecution of the War there, though it be demanded (generally) in the 13th. Propoſition, to be ſettled in both Houſes of the Parliament of *England*, to be managed by the joint advice of both Kingdoms, yet according to their 17th. Propoſition, it is to be ordered *according to the Ordinance of the 11th. of* April, 1644. which is alſo propoſed to be *enacted*. By that Ordinance the *Scottiſh* General *Leven* is to command all the Forces in *Ireland*, both *Engliſh* and *Scottiſh*, and that War is to be managed by a *joint Committee*, to be Named by the two Houſes of *England*, and the Eſtates of the Parliament of *Scotland*, and the Committees of each Kingdom is to have a *Negative Voice*: They inſiſting to have the proſecution of the War thus ſettled, our Commiſſioners anſwered, *That this was in effect to deliver the Kingdom of* Ireland *into the hands of our Subjects of* Scotland, *and neither agreeable to the Rules of Honour or Prudence.* That it *was unreaſonable* if the War continued here, that we by our conſent to Acts of Parliament for the managing of that War, and raiſing Moneys for that purpoſe, ſhould put ſo great power into their hands, who during theſe troubles may turn that power againſt Us. And laſtly, that if the diſtractions continued here, the Forces and Wealth of this Kingdom would be ſo imployed at home, that the proſecution of that War to the ſubduing of the Rebels, was impoſſible, but probably might be deſtruction of the remainder of our good Subjects.

For the power given to our *Scottiſh* Subjects in that Kingdom, our Commiſſioners urged, that General *Leven* being to Command all the Forces in *Ireland*, and the Committee of *Scotland* having a Negative Voice upon difference of Opinion, that War muſt either ſtand ſtill, to the ruine of our Subjects there, or be carried as the Earl of *Leven* pleaſed, whoſe power was not bounded by any reference to Us, or Our Lieutenant of *Ireland*, no nor to the Houſes of *England*, and though it had been anſwered, that in caſes of diſagreement betwixt the Committee, the two Houſes might proſecute the War, obſerving the Treaty of the 6th. of *Auguſt*, and the Ordinance of the 11th. of *April*, yet by referring to that Ordinance, (which is deſired to be Enacted) and by that Ordinance the power being thereby put into the Earl of *Leven*, and that Committee without mention of the two Houſes, it was apparent the Earl of *Leven* would not be bound to obſerve the directions of the Houſes of *England* by themſelves.

But they Reply in this laſt Paper of theirs, *That as the Ordinance of the 11th. of* April, 1644. *ſo the Treaty of the 6th. of* Auguſt, 1642. *is deſired to be confirmed, by which the Commander of the* Scottiſh *Forces in* Ireland *was to be anſwerable to Us, and the two Houſes of the Parliament of* England, *for his whole deportment.* But this is apparently no anſwer at all, for this Treaty of the 6th. of *Auguſt*, binds not the Committee who are to manage that War, and relates to the *Scottiſh* General as General of the *Scots* only, the other of *April*, 1644. being later in time, giving him power alſo as Commander in Chief over the *Engliſh* Forces in *Ireland*, and according to this later, he is to receive his Orders from the Committee, without reference to us or the two Houſes, neither can the two Houſes be hereby brought in to have Command over this *Scottiſh* General, or Committee more then Our Selves, whom they intend wholly to exclude, yet we cannot but obſerve, even upon theſe Articles of the Treaty of the 6th. of *Auguſt*, how little cauſe there is to expect this *Scottiſh* General will manage that War for the good

good of this Kingdom, who being by thoſe Articles to be anſwerable *to Us*, as well to the two Houſes (for then though the ſame deſign was on foot, yet their outward pretences were ſomewhat more modeſt then now they are) did without direction from Us leave his charge in *Ireland*, to bring an Army into *England* againſt Us. Well they ſay at laſt, they had (by the 13th Propoſition) deſired the proſecution of the War to be ſettled in the two Houſes, and ſo taking all together, that the Earl of *Leven* cannot manage that War according to his own diſcretion: But we muſt remember them, the Propoſition is not barely to ſettle the proſecution of the War in the two Houſes, but to ſettle it in the two Houſes *to be managed by the joynt advice of both Kingdoms*, and that joynt advice is by a joynt Committee according to the Ordinance of the 11th of *April*, in which Committee they confeſs thoſe of *Scotland* have a Negative Voice, and by the laſt part of the 17th Propoſition, *the War of* Ireland *is to be ordered according to that Ordinance.*

But they ſay, *The Scottiſh Commander is to receive Orders from the Lieutenant of Ireland*, if a Lord Lieutenant ſhall be choſen by the two Houſes (for a Lieutenant nominated by Us, is not allowed by them to give Orders to the *Scottiſh* General) This indeed (though not warranted by their Propoſitions, upon which nevertheleſs they inſiſt) yet being admitted in this latitude might ſeem to give ſome power to the two Houſes over the *Scotch* General in the manage of the War, as giving the Lieutenant ſuch a power, and by conſequence the two Houſes who have power over this Lieutenant. But they ſay not generally, that he ſhall receive Inſtructions from the Lieutenant, but *that he ſhall receive Inſtructions from the Lieutenant in ſuch manner as they have ſet down in their Paper of the* 20*th of* February, that is, *when it ſhall be neceſſary for the good of that Service, that he and the Commander in chief of the Scottiſh Army joyn*; but how ſhall it be for the ſervice that he joyn with him when he ſhall Command no Forces with which he may joyn, the *Scotch* General being by the Ordinance of the 11th of *April*, to Command all the Forces whatſoever in *Ireland*? But admit them to have joyned; Then the *Scotch* General is to receive Inſtructions from the Lieutenant, *according to the Orders which ſhall be given by the Commiſſioners of both Kingdoms*, ſo and no otherwiſe. Still the caſe is the ſame: The *Scottiſh* General is not bound to obey any Orders, but ſuch as ſhall come mediately or immediately from the Committee of both Kingdoms. And (whatſoever evaſions and diſguiſes are made to cover it from Our Peoples eyes) the *Scottiſh* Committee being an equal number, and having an equal ſhare in the Councils, and their General having the Command of all the Forces; It is apparent the whole power over that Kingdom, is in effect to be transferred to them.

But ſhould we admit that theſe Propoſitions did not give ſo great power in *Ireland* to Our Subjects of *Scotland*, yet how ſhould it be imagined, that We ſhould put the proſecution of this War in the two Houſes in ſuch manner as is inſiſted on by them, ſo long as they maintain a Rebellion againſt Us in this Kingdom? It is not denyed, but by their authority, divers Forces raiſed, and the Moneys levied for *Ireland*, were imployed againſt us in *England*, and upon the ſame pretences, that they made uſe of thoſe aids (becauſe (as they alledge in their Declaration upon that Subject) *that the ſubſiſtance of* Ireland *depended upon their welfare here*) they may ſtill make uſe of ſuch power as ſhall be given them for the manage of that War, and raiſing Moneys for that purpoſe againſt Us in *England*, neither if a peace ſhould be concluded here, could we aſſent that the proſecution of the War ſhould be ſettled in the two Houſes, excluding Our Selves as they intend it by thoſe words, *The King not to moleſt them therein.* Queen *Elizabeth* managed the War in *Ireland* ſolely, when the two Houſes were ſitting, and excluded them, though we inſiſt not upon that example, we ſhould be wanting to the truſt we have received from God, and that care of Our Subjects which lies upon us, (and of which We are to give him an account) to exclude Our Self. They themſelves know, great bodies are not ſo fit to carry on the War as a few, and therefore they have in a manner given up their power in this unhappy War at home to their State-Committee, whoſe reſolutions are rather brought to them for Countenance and execution, then for debate and deliberation.

They tell us, *the Parliament of* England *is a faithful Council to us, and that we have truſted them with the proſecution of that War, and they faithfully diſcharged their parts in it.* We wiſh, though We are willing to be ſilent in it, that yet the ruins and deſolations of this Kingdom would not ſpeak to poſterity what Councellors

20 Caroli.

thoſe are, who have diveſted Us of Our Revenue, Arms, Ships, Powder, and even the ſecurity of Our perſon, who have Armed Our Subjects here, who have brought in the *Scots* into this Kingdom, to the tearing up the bowels of it, who have infamouſly libelled againſt Us and Our Conſort, who have threatened to depoſe Us, and impeached Her of Treaſon, and who thoſe are, who have denied peace to this miſerable Kingdom, unleſs We would conſent to their unreaſonable deſtructive Propoſitions, overturning the whole frame of Government, both in Church and State. They ſay, and it is true, *We truſted them with the proſecution of that War*, and how faithfully they diſcharged it, We will not again repeat, but We never truſted them ſo, as to exclude Our ſelves, as they now ſuppoſe, and if we had relied more on the judgments and advice of Our Privy Council, and leſs on theirs, neither that nor this Kingdom, had been in the condition they now are; It was their Interpoſition and advice which hindred the tranſportation of the Army of *Iriſh* Natives out of that Kingdom into *Spain* (even to Our diſreputation abroad, who had agreed with the *Spaniſh* Embaſſadour to ſend them over, and he in confidence of Our performance, had diſburſed Money for their tranſport) and had they been tranſported (their ſtay as it provoketh them to it emboldening and ſtrengthening the other *Iriſh*) we are confident the flames of that Rebellion would never have broken forth at all, or at moſt have been ſo ſmall, as might ſuddenly have been extinguiſhed: It was their advice that ſtaid Our going over thither in perſon, which probably might have ſtopped the rage of that War, and by the bleſſing of God, would have ſaved the effuſion of much blood, which was ſince ſhed in that Kingdom: It was their unreaſonable Declarations at the beginning of the Rebellion (before the old *Engliſh* and other Papiſts had engaged themſelves with the Rebels of *Ulſter*) of making it a War of Religion, and againſt that connivance which had been uſed in that Kingdom ever ſince the Reformation, and tending to make it a National quarrel, and to eradicate the whole ſtock of the *Iriſh* (which they now purſue by giving no quarter to thoſe few of that Nation in *England*, who never were in that Rebellion, but according to their duty aſſiſt Us their Sovereign) which made the Rebellion ſo general, whereas otherwiſe the old *Engliſh*, as in former times (though Papiſts) would have joined againſt thoſe Rebels. When we had offered in *December* 1641. That 10000 Volunteers ſhould be raiſed preſently in *England*, for the ſervice of *Ireland*, if the Houſe of Commons would declare they would pay them; Inſtead thereof, in *January* following, Propoſitions were made for the tranſporting the *Scots* into *Ireland*, and we were adviſed by the two Houſes, to give the Command and keeping of the Town and Caſtle of *Carickfergus* to the *Scottiſh*, who were to be tranſported thither, and paid by this Kingdom, to which we returned anſwer, *That we did not approve the ſame as prejudicial to the Crown of* England, *and the ſervice intended, and implying too great truſt for auxiliary Forces*, yet afterward becauſe We perceived the inſiſting upon it would breed a great delay in the neceſſary ſupply of that Kingdom, we did admit of the advice of the Parliament in that particular, (and ſince by the Articles of the 6th of *Auguſt* 1642. (which though ſaid to be made by Commiſſioners, authorized by Us and the Parliament of *England*, we never were made acquainted with them, till upon this Treaty almoſt three years after) both the Towns and Caſtles of *Carickfergus* and *Colerane*, are left with them as Cautionary) the conſequence whereof was ſuch, that though the ſervice of *Ireland* was little advanced, or the poor *Engliſh* Proteſtants relieved by it, and this Kingdom drained to pay thoſe (whoſe great arrears growing upon that agreement, muſt be paid out of Lands in *Ireland*, where they have ſo good footing already, or of Our good Subjects in *England*, according to their other Propoſitions) By this means the *Scottiſh* having an Army there, under colour of ſupplying them, Our Armes and Ammunition were ſent into *Scotland*, for the ſupply of another Army, to be brought into *England*. And the countenance of that Army in *Ireland*, as it gave encouragement to ſome of Our *Scottiſh* Subjects, ſo it over-awed others, and was a means without any the leaſt provocation to thoſe Our ungrateful Subjects, of bringing of another Army into this Kingdom where they ſtill remain, to the utter ruin of many of Our good Subjects, and the probable deſtruction of the whole Kingdom. And laſtly, it was upon their advice in *February* 1641. (ſhortly after thoſe Propoſitions tendred for tranſporting the *Scots* into *Ireland*) that we agree that the Rebels Lands ſhould be ſhared amongſt the Adventurers, and the Rebels to have no pardons, though we then expreſly declared, *We did it meerly relying upon their Wiſdom without further examining*, (what we in Our particular judgment were perſwaded) *Whether that courſe might not retard the reducing of that Kingdom, by exaſperating the Rebels, and rendring them deſperate of being received into grace, if*

they

20 *Caroli.*

they ſhould return to their obedience. And it is moſt apparent, that thoſe Propoſitions and the Act drawn upon them, wherein alſo a further Clauſe, (not obſerved by Us, but paſſed, as conceiving that Act had wholly purſued the Propoſitions) was inſerted, *That every Perſon, who ſhould make, enter into, or take any Compact, Bond, Covenant, Oath, Promiſe or Agreement, to introduce or bring into the ſaid Realm of* Ireland, *the Authority of the See of* Rome, *in any caſe whatſoever, or to maintain or defend the ſame, ſhould forfeit his Lands and Goods,* (as in caſe of Rebellion) were great cauſes, not onely of provoking, but increaſing and encouraging the Rebels: who having no pretence before for that horrid Rebellion, had now ſome colour to make it a matter of Religion, and ſo to make their application to Forreign Princes, and to negotiate with them for delivering that Kingdom into their hands. We profeſs Our averſion from their Religion and hatred to their Rebellion, but though we think them worſe Chriſtians becauſe they are Rebels, we think them not worſe Rebels becauſe they are Papiſts. A Proteſtant Rebel in the ſame degree of Rebellion, hath far more to anſwer, as having more light, and it being more expreſly againſt the Religion he profeſſeth, whereof it hath heretofore been a Maxime (though it be now taken for Apocryphal doctrine) *not to take up Arms againſt their Prince upon any pretence whatſoever.* And as we have endeavoured by Our Perſonal example and otherwiſe, ſo we ſhall ſtill continue, by all good means to propagate the Proteſtant Religion, but we are far from that *Mahumetan* doctrine, that we ought to propagate Our Religion by the Sword And though we ſhall be moſt willing to hearken to the advice of Our People Aſſembled in a free Parliament, yet we ſhould be wanting to the Truſt that God hath repoſed in Us, and Our uſe of that reaſon with which he hath endowed Us, if We ſhould wholly give up that Kingdom to be managed ſolely by their Councils, ſecluding Our Selves from all intereſt therein, eſpecially when we conſider that which experience hath taught Us; if they have the ſole power of that War (by which all the Soldiers and Commanders, being to be nominated and paid removed and advanced by them, the neceſſary application (paſſing by Us) muſt be made to ſuch as are powerful with them) how eaſie a matter it will be for a prevalent Faction (if they ſhall have a mind to demand other things hereafter not fit to be granted) again to bring over an Army raiſed and payed by them into this Kingdom, eſpecially ſo much compoſed of Our *Scottiſh* Subjects. And whereas they deſire further, *The nomination of the Lord Lieutenant, and other great Officers and Judges in that Kingdom* (which they alſo deſire in this of *England*) they cannot but know, that it muſt of neceſſity take away all dependency upon us, and application to us, when the power to reward thoſe who are worthy of publick Truſt, ſhall be transferred to others, and having neither force left us to puniſh, nor power to reward, we ſhall be in effect a titular contemptible Prince. We ſhall leave all our Miniſters to the known Laws of the Land to be tried and puniſhed according to thoſe Laws if they ſhall offend, but we cannot conſent, to put ſo great a Truſt and Power out of Us, and we have juſt cauſe to conceive, that notwithſtanding all their ſpecious pretences, this deſire of nomination of thoſe great Officers, is but a cloke to cover the Ambition of thoſe, who having been the Boutefeux of this Rebellion, deſire to advance themſelves and their own Faction. And to that which is ſaid, that Our *bad choice of our Lieutenants of* Ireland, *was the loſs of many thouſand Lives there, and almoſt of the whole Kingdom from our Obedience*: They cannot but witneſs who know that Kingdom, that during the Government there by Lieutenants of our Choice, that Kingdom enjoyed more plenty and peace, then it ever had ſince it was under the ſubjection to the Crown of *England*; Traffique by Sea, and Trade by Land encreaſed, Values of Land improved, Shipping multiplyed beyond belief, never was the Proteſtant Religion more advanced, nor the Proteſtant protected in greater ſecurity againſt the Papiſts; And we muſt remember them, that that Rebellion was begun, when there was no Lieutenant there, and when the Power and Government, which had been formerly uſed in that Kingdom, was queſtioned and diſgraced, when thoſe in the Parliament there, by whom that Rebellion was hatched, were countenanced in their complaints and proſecution.

But they are not content to demand all the power over *Ireland*, and the Nomination of all Officers, but we muſt alſo engage our Self, to *paſs ſuch Acts as ſhall be preſented to Us for raiſing of Moneys and other Neceſſaries for that War*: Our former readineſs to paſs Acts for *Ireland*, becauſe they were adviſed by the two Houſes, (when they were apparently prejudicial to Our Self, and contrary to Our own Judgment) might ſufficiently ſatisfie them, we would make no difficulty

An. 1644. to conſent to ſuch Acts as ſhould be for the good of that Kingdom, but they have been already told it was unreaſonable to make a general engagement, before we ſaw the Acts whether reaſonable or no, and whether *thoſe other Neceſſaries may not in truth comprehend what is not only unneceſſary, but very inconvenient.* But the people they ſay, *who have truſted them with their Purſe, will never begrudge what they make them lay out upon that Occaſion.* The two Houſes indeed were entruſted, that our Subjects ſhould not be charged without them, but they never were ſolely truſted by our Subjects, with a power to charge them, the care that no preſſure in that, or any other kind ſhould be upon our Subjects, is principally in us, without whoſe conſent (notwithſtanding the late contrary and unexampled practice) no ſuch charge can, or ought to be Levied; and we ought not to give that conſent, but where it is viſible for the good of our Kingdoms, which upon ſuch an unbounded power of raiſing Moneys may fall out otherwiſe, eſpecially in ſo unuſual a caſe as this, where thoſe who muſt have the ſole manage of the War, ſhall have the ſole command of the Purſe, without any check or control upon them. But they ſay again, *We have heretofore been poſſeſſed againſt the Parliament, for not giving away the Money of the Subject when We had deſired it, but never yet did We reſtrain them from it.* It is true, we had no great cauſe heretofore to reſtrain the two Houſes from giving the Subjects Money to us, having found more difficulty to obtain from them three or four Subſidies, then they have met with, in raiſing ſo many Millions. But our people cannot think themſelves well dealt with by us, if we ſhall conſent to put an unlimited power of raiſing what Moneys they pleaſe, in thoſe perſons, who have drained more Wealth from them in four years, then we believe all the Supplies given to the Crown in four hundred years before have amounted unto.

In the laſt place, we wiſh every man to conſider how the Rebels in *Ireland* can be reduced by War, whilſt theſe unhappy diſtractions continue here, whilſt contrary Forces and Armies are raiſed in moſt parts of this Kingdom, and the Blood of our People is ſpilt like Water upon the Ground, whilſt the Kingdom is waſted by Souldiers, and the people exhauſted by maintaining them, and (as if this Kingdom were not ſufficient to deſtroy it ſelf) whilſt an Army of *Scots* is brought into the Bowels of this Kingdom, and maintained at the Charge of it, whilſt this Kingdom labours under ſuch a War, how is it poſſible that a conſiderable ſupply of Men or Money can be ſent into *Ireland?*

To this with much fervour of expreſſion they ſay, *It muſt not depend upon the condition of our other Kingdoms to revenge Gods Quarrel upon ſuch perfidious Enemies to the Goſpel of Chriſt, who have imbrewed their hands in ſo much Proteſtant Blood. That the Ceſſation is for their advantage. Arms and Ammunition, and all manner of Commodities, may be brought to them. That it is not fit there be any agreement of peace or reſpite from Hoſtility with ſuch Creatures as are not fit to live, more then with Wolves or Tygers, or any ravenous Beaſts deſtroyers of Mankind.*

We are moſt ſenſible of the Blood and Horror of that Rebellion, and would be glad that either a Peace in this Kingdom, or any other expedient might furniſh us with means and power to do Juſtice upon it. If this cannot be, we muſt not deſperately expoſe our good Subjects to their Butchery, without means or poſſibility of protection. God will in his due time revenge his own Quarrel, in the mean time his Goſpel gives us leave, in caſe of War, to ſit down, and caſt up the Coſt, and eſtimate our power to go through with it, and in ſuch caſe where prudence adviſeth, it is lawful to propoſe Conditions of Peace, though the War otherwiſe might juſtly be purſued. And ſurely, as a Ceſſation in *Ireland* may be ſome advantage to the Rebels, as all Ceſſations in their Nature are to both parts, they having thereby time and liberty to procure Arms and Ammunition to be brought to them: So it is not only for the advantage, but neceſſary preſervation of our good Subjects there, whoſe bleeding dangers call for our Bowels of Charity and Compaſſion, by ſuſpending the rage of the Adverſary by this Ceſſation, till means may be found to turn their hearts, or to diſable their malice from purſuing their Cruelty, to the utter ruine of that remainder of our good Subjects there, it being more acceptable to God and Man to preſerve a few good men from deſtruction, then to deſtroy a multitude, though in the way of Juſtice, and perhaps a Ceſſation may bring ſome of thoſe Rebels to reflect upon their Offences, and to return to their Duty, all are not in the ſame degree of Guilt, all were not Authors of, nor Con-

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ſenting to the Cruelties committed, ſome were enforced to comply with, or not reſiſt their proceedings, ſome were ſeduced upon a belief the Nation was deſigned to be eradicated, and the War not againſt the Rebellion only, but their Religion. The War deſtroys all alike without diſtinction, (even innocent Children have ſuffered, not by the Rebels only) and all are not Tygers, or Wolves, there may be grounds of mercy to ſome, though no ſeverity be exceſſive towards others; however we cannot deſire the deſtruction, even of the worſt of thoſe *Iriſh* Rebels, ſo much as we do the preſervation of the poor *Engliſh* remaining there, but ſhould make choice rather, to ſave the Rebels, for preſerving the lives of thoſe poor Proteſtants, then deſtroy them to ruine the Rebels. And therefore exceeding ſtrange it is to Us, and we are ſorry to find, that any *Engliſhmen* (who have ſeen this their Native Country heretofore, (even in our time) flouriſhing beyond moſt of the Kingdoms and Churches in the World, and now moſt hideous and deformed, weltring in the Blood of her own Children, and if this War continue, like to be a perpetual Spectacle of Deſolation) ſhould expreſs, that *they deſire War in* Ireland, *as much as they do Peace here*, no more valuing the ſparing of *Engliſh* Blood here, then they do the effuſion of the Blood of the Rebels in *Ireland*. They ſay indeed, *they are willing to lay out their Eſtates, and Lives, both for the War in* Ireland, *and Peace in this Kingdom*, but withal they ſay, *They have made Propoſitions for both, if our Commiſſioners would agree to them.* Theſe are the Conditions they offer, neither Peace is to be had here, without agreeing to their Propoſitions, nor that War in *Ireland* to be managed, but according to thoſe Propoſitions, ſuch Propoſitions as apparently tend to the ruine of the Church, to the Subverſion of all our power, to the ſetting up a new frame of Popular Government, to the deſtruction of our Loyal and True-hearted Subjects; Propoſitions, which aſſociate our Subjects of *Scotland* in their Counſels and Power, and Inveſt them in a great ſhare of the Government and Wealth of this Kingdom, and render both the Wealth and Power of *Ireland*, to be at their Command. Theſe Propoſitions they inſiſt upon, and for the obtaining theſe, they are reſolved to engage *the Lives and Eſtates* of our poor people in this Unnatural Rebellion. But We truſt God Almighty, will open the Eyes and the Hearts of Our people, not to aſſiſt them any longer againſt Us, in the ſhedding Innocent Blood in this War. And we caſt Our Selves on him, waiting his good time for the reſtoring the Peace of Our Kingdoms, and Our Deliverance from theſe Troubles, which at length We are aſſured he will give unto Us.

Certain Letters that paſs'd between Their Majeſties about this time, and other Papers relating to the Treaty at *Uxbridge*, [which are alſo in the *Baſilica*, or Works of King *Charles*, Printed by *R. Royſton*, 1662. from Fol. 1312. *& ſubſequentibus.*]

The Queen *to the* King.

Paris, January 6*th.* December 27*th.* 164⅘.

Paris, January.

'I Have received one of your Letters dated from *Marlborow*, of an old date, having received many others more freſh, to which I have made anſwer, I will ſay nothing concerning this, but only concerning the Affair of *Gor*. If it be not done it is time, being very ſeaſonable at this time, which I did not believe before.

'I underſtand that the Commiſſioners are arrived at *London*; I have nothing to 'ſay, but that you have a care of your Honour, and that if you have Peace, it 'may be ſuch as may hold, and if it fall out otherwiſe, that you do not abandon 'thoſe who have ſerved you, for fear they do forſake you in your need. Alſo, I 'do not ſee how you can be in ſafety without a Regiment of Guard; for my ſelf, 'I think I cannot be, ſeeing the Malice which they have againſt me, and my Re'ligion, of which I hope you will have a care of both, but in my Opinion, Reli'gion ſhould be the laſt thing upon which you ſhould treat: For if you do agree 'upon ſtrictneſs againſt the Catholicks, it would diſcourage them to ſerve you, 'and if afterwards there ſhould be no Peace, you could never expect Succours

'either

Ap. 1644.

'either from *Ireland*, or any other Catholick Prince, for they would believe you 'would abandon them after you had ſerved your ſelf.

'I have diſpatched an Expreſs into *Scotland* to *Montroſs*, to know the Condition 'he is in, and what there is to be done. This Week I ſend to Monſieur of *Lor-* 'rain, and into *Holl.* I loſe no time, if I had more of your News all would go 'better. Adieu, my dear Heart.

My Wife, Dec. 27.
Jan. 6. 1644-5.

To the Queen.

Oxford, December, 1644.

Dear Heart,

I Know thy Affection to me ſo truly grounded, that thou wilt be in as much, if not more trouble, to find my Reputation, as my Life, in Danger: Therefore, leſt the falſe ſound of my offering a Treaty to the Rebels, upon baſe and unſafe Terms, ſhould diſturb thy thoughts, I have thought it neceſſary (to aſſure thy mind from ſuch Rumours) to tell thee the ways I have uſed to come to a Treaty, and upon what grounds. I ſhall firſt ſhew thee my grounds, to the end thou mayſt the better underſtand, and approve of my ways.

Then know (as a certain truth) that all, even my Party, are ſtrangely impatient for Peace, which obliged me ſo much the more (at all occaſions) to ſhew my real Intentions to Peace: And likewiſe, I am put in very good hope (ſome hold it a certainty) that if I could come to a fair Treaty, the Ring-leading Rebels could not hinder me from a good Peace: Firſt, becauſe their own party are almoſt weary of the War, and likewiſe for the great Diſtractions which at this time moſt aſſuredly are amongſt themſelves, as *Presbyterians* againſt *Independants* in Religion, and General againſt General in point of Command.

Upon theſe grounds a Treaty being moſt deſirable (not without hope of good ſucceſs) the moſt probable means to procure it, was to be uſed, which might ſtand with Honour and Safety.* Amongſt the reſt (for I will omit all thoſe which are unqueſtionably Councelable) the ſound of my return to *London* was thought to have ſo much force of Popular Rhetorick in it, that upon it a Treaty would be had, or if refuſed, it would bring much prejudice to them, and be advantageous to me; yet leſt fooliſh or malicious people, ſhould interpret this as to proceed from Fear or Folly, I have joyned Conditions with the Propoſition (without which this ſound will ſignifie nothing) which thou wilt find to be moſt of the chief Ingredients of an honourable and ſafe Peace. Then obſerve, if a Treaty at *London*, with Commiſſioners for both ſides, may be had without it, it is not to be uſed, nor in caſe they will Treat with no body but my ſelf; ſo that the Conditions ſave any aſperſion of Diſhonour, and the Treating at *London*, the Malignity which our Factious Spirits here may infuſe into this Treaty upon this Subject.

This I hope will ſecure thee from the trouble which otherwiſe may be cauſed by malicious Rumours, and though I judge my ſelf ſecure in thy thoughts from ſuſpecting me guilty of any baſeneſs, yet I held this account neceſſary, to the end thou mayeſt make others know as well as thy ſelf this certain Truth, that no danger of Death or Miſery (which I think much worſe) ſhall make me do any thing unworthy of thy Love.

For the ſtate of my preſent Affairs, I refer thee to 92. concluding (as I did in my laſt to thee) by Conjuring thee as thou loveſt me, that no appearance of Peace (and I now add) nor hopeful Condition of mine, make thee neglect to haſte Succour for him, who is, Eternally Thine.

Copy to my Wife, December 1644.
by Tom Elliot.

To

An. 1644.

To the Queen.

Oxford, January 1. 1644.

Dear Heart,

I Receive it as a good Augury thus to begin this New Year, having newly received thine of the 30th. of *December*, which I cannot ſtay to Decipher, for not loſing this opportunity, it being Juſt excuſe for this ſhort account. This day I have diſpatch'd *Digby*'s Sec. fully relating the ſtate of our Affairs, therefore I ſhall only now tell thee, That the Rebels are engaged into an equal Treaty, without any of thoſe diſadvantages which might have been apprehended when *Tom Elliot* went hence, and that the diſtractions of *London* were never ſo great, or ſo likely to bring good effect as now. Laſtly, That aſſiſtance was never more needful, never ſo likely as now to do good, to him who is eternally Thine.

Copy to my Wife, 1. Jan. 1644.
by P. A.

To the Queen.

Oxford, January 2. 1644.

Dear Heart,

HAving Deciphered thine which I received yeſterday, I was much ſurprized to find thee blame me for neglecting to write to thee, for indeed, I have often complained for want; never any diſpatch went from either of my Secretaries without one from me, when I knew of it.

As for my calling thoſe at *London* a Parliament, I ſhall refer thee to *Digby* for particular ſatisfaction of this in general; if there had been but two (beſides my ſelf) of my opinion, I had not done it, and the Argument that prevailed with me, was, That the calling did no ways acknowledge them to be a Parliament. Upon which Condition and Conſtruction I did, and no other ways, and accordingly it is Regiſtred in the Council Books, with the Councils unanimous Approbation; but thou wilt find that it was by Misfortune, not Neglect, that thou haſt been no ſooner advertiſed of it.

As for the concluſion of thy Letter, it would much trouble me if thou didſt not know thy deſire granted before it was asked; yet I wonder not at it, ſince that which may beat a bad Conſtruction hath been preſented to thee in the ugliеſt form, not having received the true reaſon and meaning of it. The fear of ſome ſuch Misfortune, made me the more careful to give thee a full account by *Tom Elliot*, of the Reaſons of the D. of *R.* and E. of *S.* Journey to *London*, which if it came ſoon enough, I am confident will free thee from much Trouble, but if thou haſt not the patience to forbear Judging raſhly of my Actions before thou heareſt the Reaſons of them from me, thou mayeſt be often ſubject to be doubly vext, firſt with Slanders, then with having given too much ear to them. To conclude, Eſteem me as thou findeſt me Conſtant to thoſe grounds thou lefteſt me withal; and ſo farewel dear Heart.

Copy to my Wife, $\frac{21}{31}$ January,
1645. P. A.

To the Queen.

Oxford, January 22. 1644.

Dear Heart,

SInce my laſt by *Choquen*, I have had no means of Writing, and as little new matter; that which is now, is the progreſs of the Treaty, of which theſe encloſed Papers will give thee a full account, but if thou have them ſooner from *London* than me, thou haſt no reaſon to wonder, conſidering the length and uncertainty of the way, I am forced to ſend by, in reſpect of the other. For the buſineſs it ſelf, I believe thou wilt approve of my choice of Treators, and for my Propoſitions, they differ nothing in ſubſtance (very little in words) from thoſe which

An. 1644.

which were laſt, wherefore I need to ſay nothing of them; and for [illegible] they are not yet made, but by the next I hope to ſend them.

Now upon the whole matter, I deſire thee to ſhew the Qu[illegible] there, the Improbability that this preſent Treaty ſhould produc[illegible] dering the great ſtrange difference (if not contrariety) of grou[illegible] twixt the Rebels Propoſitions and mine, and that I cannot alter mi[illegible] ever theirs, till they be out of hope to prevail by force, which [illegible] by thy means, will ſoon make them be, for I am confident, if ev[illegible] them to a Defenſive (which a reaſonable ſum of Money would do) [illegible] eaſily brought to Reaſon.

Concerning our Interferrings here at *Oxford*, I deſire thee [illegible] Judgment (for I believe few but partial Relations will come to the[illegible] ſend ſome whom I may truſt by Word of Mouth, it being too much trouble to us both to ſet them down in Paper.

A Copy to my Wife, 22. Jan. 1644.

The Queen *to the* King.

Paris, $\frac{27}{17}$. January, 1644.

My dear Heart,

TOM ELLIOT *two days ſince hath brought me much Joy and Sorrow, the firſt to know the good Eſtate in which you are, the other fear that I have that you go to* London; *I cannot conceive where the Wit was of thoſe who gave you this Counſel, unleſs it be to hazard your Perſon to ſave theirs: But thanks be to God, to day I received one of yours by the Ambaſſador of* Portugal, *dated in* January, *which comforted me much, to ſee that the Treaty ſhall be at* Uxbridge. *For the Honour of God, truſt not your ſelf in the hands of thoſe people, and if ever you go to* London, *before the Parliament be ended, or without a good Army, you are loſt. I underſtand that the Propoſitions for the Peace muſt begin by Diſbanding the Army, if you conſent to this you ſhall be loſt, they having the whole power of the Militia, they have done, and will do, whatſoever they will.*

I received Letters yeſterday from the Duke of Lorrain, *who ſends me word, if his ſervice be agreeable to you, he will bring you ten thouſand Men. Dr.* Goffe, *whom I have ſent into* Holland, *ſhall treat with him in his paſſage upon this buſineſs, and I hope very ſpeedily to ſend good News of this, as alſo of the Money; aſſure your ſelf, I will be wanting in nothing you ſhall deſire, and that I will hazard my life, that is, to dye by Famine, rather than not to ſend to you. Send me word always by whom you receive my Letters, for I write both by the Ambaſſador of* Portugal, *and the Reſident of* France: *Above all, have a care not to abandon thoſe who have ſerved you; as well the Biſhops as the poor Catholicks; Adieu. You will pardon me if I make uſe of another to write, not being able to do it; yet my ſelf in Cyphers, ſhew to my Nephew* Rupert, *that I intreat you to impart all that I write to you, to the end that he may know the reaſon why I write not to him. I know not how to ſend great Packets.*

To the Queen.

Oxford, January 30. 1644.

Dear Heart,

SUnday laſt I received three Letters from thee, one a Duplicate of the 30th. of *December*, another of the 6th. of *January*, and the laſt of the 14th. of *January*, and even now one *Petit* is come with a Duplicate of the laſt, wherein, as I infinitely Joy in the expreſſions of thy Confident Love of me, ſo I muſt extreamly wonder that any who pretend to be a Friend to our Cauſe (for I believe thou wouldſt not mention any Information from the other ſide) can invent ſuch lyes, that thou haſt had ill Offices done to me by any, or that thy care for my aſſiſtance hath been the leaſt ſuſpected, it being far from truth, that the juſt contrary is true; for I proteſt before God, I never heard thee ſpoken of but with the greateſt expreſſions of eſtimation for thy love to me, and particularly for thy diligent care

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20 *Caroli.*

for my aſſiſtance, but I am confident that it is a Branch of that Root of Knavery which I am now digging at, and of this I have more than a bare ſuſpicion. And indeed, if I were to find fault with thee, it ſhould be for not taking ſo much care of thine own health as of my aſſiſtance; at leaſt, not giving me ſo often account of it as I deſire, theſe three laſt making no mention of thy ſelf.

Now as to the Treaty (which begins this day) I deſire thee to be confident that I ſhall never make a Peace by abandoning my Friends, nor ſuch a one as will not ſtand with my Honour and Safety. Of which I will ſay no more, becauſe knowing thy love, I am ſure thou muſt believe me, and make others alſo confident of me.

I ſend thee herewith my directions to my Commiſſioners, but how I came to make them my ſelf, without any others, *Digby* will tell thee, with all the News as well concerning Military, as Cabaliſtical matters. At this time I will ſay no more, but that I ſhall in all things (only not anſwering for words) truly ſhew my ſelf eternally Thine.

The *Portugal* Agent hath made me two Propoſitions, firſt concerning the Releaſe of his Maſters Brother, for which I ſhall have 50000 *l.* if I can procure his liberty from the King of *Spain*; the other is for a Marriage betwixt my Son *Charles* and his Maſters Eldeſt Daughter: For the firſt, I have freely undertaken to do what I can, and for the other, I will give ſuch an Anſwer as ſhall ſignifie nothing.

I deſire thee not to give too much Credit to *Sabrans* Relation, nor much Countenance to the *Iriſh* Agents in *Paris*, the particular reaſons thou ſhalt have by *Pooly*, whom I intend for my next Meſſenger.

In the laſt place, I recommend to thee the Care of *Jerſey* and *Guernſey*, it being impoſſible for us here to do much, though we were Rich, being weak at Sea.

To my VVife, 30. January, 1644.
by Legg.

Directions for my *Uxbridge* Commiſſioners.

Firſt, Concerning Religion.

IN this the Government of the Church (as I ſuppoſe) will be the chief Queſtion, wherein two things are to be conſidered, Conſcience and Policy.

For the firſt, I muſt declare unto you, that I cannot yield to the change of the Government by Biſhops, not only as I concur with the general opinion of Chriſtians in all Ages, as being the beſt, but I likewiſe hold my ſelf particularly bound by the Oath I took at my Coronation, not to alter the Government of this Church from what I found it. And as for the Churches Patrimony, I cannot ſuffer any diminution or alienation of it, it being without peradventure, Sacriledge; and likewiſe contrary to my Coronation-Oath. But whatſoever ſhall be offered for rectifying of Abuſes, if any have crept in, or yet for the eaſe of tender Conſciences (ſo that it endamage not the Foundation) I am content to hear, and will be ready to give a Gracious Anſwer thereunto.

For the ſecond, as the Kings Duty is to protect the Church, ſo it is the Churches to aſſiſt the King, in the Maintenance of his Juſt Authority; wherefore my Predeceſſors have been always careful (eſpecially ſince the Reformation) to keep the dependancy of the Clergy intirely upon the Crown, without which it will ſcarcely ſit faſt upon the Kings Head, therefore you muſt do nothing to change or leſſen this neceſſary dependancy.

Next concerning the Militia after Conſcience: This is certainly the fitteſt Subject for a Kings Quarrel, for without it the Kingly Power is but a ſhadow, and therefore upon no means to be quitted, but to be maintained according to the Ancient known Laws of the Land: Yet, becauſe (to attain to this ſo much wiſhed Peace by all good Men) it is in a manner neceſſary, that ſufficient and real ſecurity be given for the performance of what ſhall be agreed upon, I permit you, either by leaving ſtrong Towns, or other Military Force in the Rebels poſſeſſion (until Articles be performed) to give ſuch aſſurance for the performance of Conditions, as you ſhall judge neceſſary for to conclude a Peace, provided always that you take (at leaſt) as great care, by ſufficient Security, that Conditions be performed to me, and to make ſure, that the Peace once ſettled, all things ſhall return into their Ancient Chanels.

20 *Caroli.*

Secondly, For Ireland.

I Confeſs, they have very ſpecious popular Arguments to preſs this point, the gaining of no Article is more conducing to their ends than this; and I have as much reaſon, in both Honour and Policy, to take care how to anſwer this as any: All the World knows the eminent inevitable Neceſſity which cauſed me to make the *Iriſh* Ceſſation, and there remain yet as ſtrong reaſons for the concluding of that Peace, wherefore you muſt conſent to nothing to hinder me therein, until a clear way be ſhewn me how my Proteſtant Subjects there may probably (at leaſt) defend themſelves, and that I ſhall have no more need to defend my Conſcience and Crown from the Injuries of this Rebellion.

Oxford, February 1644.

Memorials for Secretary Nicholas, *concerning the Treaty at* Uxbridge.

I. FOR Religion and Church-Government, I will not go one jot further then what is offered by you already.

II. And ſo for the Militia, more than what ye have allowed by me; but even in that you muſt obſerve, that I muſt have free Nomination of the full half, as if the total Number of *Scots*, and all, be 30, I will Name 15. Yet if they (I mean the *Engliſh* Rebels) will be ſo baſe as to admit of ten *Scots* to twenty *Engliſh*, I am contented to Name five *Scots* and ten *Engliſh*; and ſo proportionably to any number that ſhall be agreed upon.

III. As for gaining of particular perſons, beſides Security, I give you power to promiſe them Rewards for performed Services, not ſparing to ingage for places, ſo they be not of great Truſt, or be taken away from honeſt Men in poſſeſſion, but as much profit as you will. With this laſt you are only to acquaint *Richmond*, *Southampton*, *Culpeper*, and *Hide*.

To the Queen.

Oxford, $\frac{15}{25}$. February, 1644.

Dear Heart,

THE expectation of an Expreſs from thee (as I find by thine of the 4th. of *February*) is very good News to me, as likewiſe that thou art now well ſatisfied with my diligence in Writing.

As for our Treaty, there is every day leſs hopes then other, that it will produce a Peace, but I will abſolutely promiſe thee, that if we have one, it ſhall be ſuch as ſhall invite thy return, for I avow, that without thy Company I can neither have Peace nor Comfort within my ſelf. The limited days for Treating are almoſt expired, without the leaſt agreement upon any one Article, wherefore I have ſent for enlargement of days, that the whole Treaty may be laid open to the World; and I aſſure thee, that thou needeſt not doubt the iſſue of this Treaty, for my Commiſſioners are ſo well choſen (though I ſay it) that they will neither be threatned nor diſputed from the grounds I have given them, which (upon my word) is according to the little Note, thou ſo well remembreſt, and in this, not only their Obedience, but their Judgments Concur.

I confeſs, in ſome reſpects thou haſt reaſon to bid me beware of going too ſoon to *London*, for indeed, ſome amongſt us had a greater mind that way then was fit, of which perſwaſion *Percy* is one of the Chief, who is ſhortly like to ſee thee; of whom having ſaid this is enough to ſhew thee how he is to be truſted, or believed by thee, concerning our proceedings here.

In ſhort, there is little or no appearance, but that this Summer will be the hotteſt for War of any that hath been yet; and be confident, that in making Peace, I ſhall ever ſhew my Conſtancy in adhering to Biſhops, and all our Friends, and not forget to put a ſhort period to this perpetual Parliament: But as thou loveſt me, let none perſwade thee to ſlacken thine aſſiſtance for him, who is eternally Thine, *C. R.*

Oxford, 15. 25. *February*, 1644--5.

To my Wife, 15. *Feb.* 1645. by *P. A.*

20 *Caroli.*

To the Queen.

Oxford, February 19. 1644.

Dear Heart,

I Cannot yet ſend Thee any certain word concerning the Iſſue of our Treaty, onely, the unreaſonable ſtubbornneſs of the Rebels gives dayly leſs and leſs hopes of any accommodation this way, wherefore I hope no Rumours ſhall hinder Thee from haſtening all Thou maieſt, with all poſſible aſſiſtance to me, and particularly that of the Duke of *Lorrains*, concerning which I received yeſterday good News from Dr. *Goff*, that the Prince of *Orange* will furniſh ſhipping for his tranſportation, and that the reſt of his Negotiations goes hopefully on: by which and many other ways I find thy affections ſo accompanied with Dexterity, as I know not whether (in their ſeveral kinds) to eſteem moſt, but I will ſay no more of this, leſt Thou maieſt think that I pretend to do this way what is but poſſible to be done by the continual Actions of my Life.

Though I leave News to others yet I cannot but tell Thee, that even now I have received certain Intelligence of a great Defeat given to *Argyle* by *Montroſs*, who upon ſurprize totally routed thoſe Rebels, killed 1500 upon the place.

Yeſterday I received thine of 27 *January* by the *Portugal* Agent, the onely way (but expreſſes) I am confident on, either to receive Letters from thee, or to ſend them thee; Indeed *Sabrian* ſent me word yeſterday, beſides ſome compliments of the Embargo of the Rebels Ships in *France*; (which I likewiſe put upon thy ſcore of kindneſs) but is well enough content that the *Portugal* ſhould be charged with thy diſpatches.

As for truſting the Rebels either by going to *London* or disbanding my Army before a Peace, do no ways fear my hazarding ſo cheaply or fooliſhly; For I eſteem the intereſt thou haſt in me at a far dearer rate, and pretend to have a little more Wit (at leaſt by the Simpathy that is betwixt us) then to put my ſelf into the Reverence of perfidious Rebels, ſo impatiently expecting the expreſs thou haſt promiſed me, I reſt eternally thine.

I can now aſſure, That *Hertogen* the *Iriſh* Agent is an arrant Knave which ſhall be made manifeſt to thee by the firſt opportunity of ſending Packets.

To the Queen.

Oxford, March 5th 1644.

Dear Heart,

NOW is come to paſs what I foreſaw, the fruitleſs end (as to a preſent peace) of this Treaty, but I am ſtill confident I ſhall find good effects of it: For beſides that my Commiſſioners have offered, to ſay no more, full meaſured reaſon, and the Rebels have ſtucken rigidly to their demands, which I dare ſay had been too much, though they had taken me Priſoner, ſo that aſſuredly the breach will light fouly upon them; we have likewiſe at this time diſcovered, and ſhall make it evidently appear to the world that the *Engliſh* Rebels (whether baſely or ignorantly will be no very great difference) have as much as in them lies tranſmitted the Command of *Ireland* from the Crown of *England* to the *Scots*, which (beſides the reflection it will have upon theſe Rebels) will clearly ſhew, that reformation of the Church is not the Chief, much leſs the onely end of the *Scottiſh* Rebellion.

But it being preſumption and no piety ſo to truſt to a good Cauſe, as not to uſe all lawful means to maintain it; I have thought of one means more to furniſh thee with, for my aſſiſtance then hitherto thou haſt had, it is that I give thee power in my name (to whom thou thinkeſt moſt fit) that I will take away all the penal Laws againſt the *Roman Catholicks* in *England*, as ſoon as God ſhall make me able to do it, ſo as by their means, or in their favours, I may have ſo powerful aſſiſtance as may deſerve ſo great a favour, and enable me to do it: But if thou ask what I call that aſſiſtance, I anſwer, that when thou knoweſt what may be done for it, it may be eaſily ſeen if it deſerve to be ſo eſteemed, I need not to tell thee what

 ſecrecy

An. 1644

ſecreſie the buſineſs requir'd, yet this I will ſay, [illegible] Confidence I can expreſs to thee, for it is no tha[illegible] thing elſe but in this, which is the onely thing of d[illegible] And yet I know thou wilt make a good bargain for [illegible] (though it concern Religion) as if thou wert a Prot[illegible] Affairs, ſo much depending on it.

I have ſo fully inſtructed this Bearer *Pooly*, that I [illegible] but that herewith I ſend thee a new Cypher aſſuring thee that none hath, or than have any Copy of it but my ſelf to the end, thou maieſt uſe when thou ſhalt find fit to write any thing which thou wilt judge worthy of thy pains to put in Cypher, and to be decyphered by none but me, and ſo likewiſe from him to thee, who is eternally thine.

To the Queen

Oxford, 13th of March, old ſtile.

Dear Heart,

WHat I told thee laſt Week concerning a good parting with our Lords and Commons here, was on *Monday* laſt handſomely performed, now if I do any thing unhandſome or diſadvantageous to my ſelf or friends in order to a Treaty, it will be meerly my own fault, for I confeſs, when I wrote laſt I was in fear to have been preſſed to make ſome mean Overtures to renew the Treaty (knowing there were great labourings to that purpoſe) but now I promiſe thee, if it be renewed (which I believe will not without ſome eminent good ſucceſs on my ſide) it ſhall be to my Honour and Advantage, I being now as well freed from the place of baſe and mutinous motions (*that is to ſay our Mungril Parliament here*) as of the Chief Cauſers, for whom I may juſtly expect to be chidden by thee, for having ſuffered thee to be vexed by them, *Wilmot* being already there, *Percy* on his way, and *Suſſen* within few days taking his Journey to thee, but I know thou careſt not for all the trouble to free me from Inconveniences, yet I muſt tell thee that if I knew not the ſteddineſs of thy love to me, I might reaſonably apprehend that their repair to thee would rather prove a perfect change then an end of their Villanies, I cannot deny but my confidence in thee was ſome cauſe of this permiſſive trouble to thee.

I have received thine of the third of *March*, by which thou putteſt me in hope of aſſiſtance of Men and Money, and it is no little expreſſion of thy love to me, that (becauſe of my buſineſs) Feſtivals are troubleſome to thee, but I ſee, that Aſſemblies in no Countries are very agreable to thee; and it may be done a purpoſe to make thee weary of their Companies, and excuſe me to tell thee in earneſt, that it is no wonder that meer Stateſmen ſhould deſire to be rid of thee, therefore I deſire thee to think whether it would not advantage thee much to make a perſonal Friendſhip with the Queen-Regent (without ſhewing any diſtruſt of her Miniſters, though not wholly truſting to them) and to ſhew her, that when her Regency comes out (and poſſibly before) ſhe may have need of her Friends; So that ſhe ſhall but ſerve her ſelf by helping of thee, and to ſay no more, but certainly, if this Rebellion had not begun to oppreſs me when it did, a late great Queen had ended more glorious then ſhe did.

In the laſt place I deſire thee to give me a weekly Account of thy health: For I fear leſt in that alone, thou takeſt not care enough to expreſs thy kindneſs to him who is eternally thine.

The *Northern* News is rather better then what we firſt heard, for what by Sir *Marmaduke Langdales* and *Montroſſes Victories*, *Carliſle* and the reſt of our *Northern* Garriſons are relieved, and we hope for this year ſecured, and beſides all this the *Northern* Horſe are already returned and joyned with my Nephew *Rupert*.

CHAP.

20 *Caroli.*

CHAP. XX.

Touching the Affairs in Ireland, *from the time of the* Ceſſation, Sept. 15. 1643. *to the end of the Year* 1644.

Major-General Monro (*Chief Commander of the* Scots *in* Ulſter) *his Letter to the Lords Juſtices*, Octob. 15.

Right Honourable,

YOur Lordſhips of the 21ſt. of *September*, I received at *Ardmagh*, together with the Printed Ceſſation, which was very diſpleaſing unto this Army, who being ſent Auxiliaries for Supply of the *Britiſh* Forces *in* diſtreſs, were promiſed by His Majeſty, and the Parliament of *England*, Pay and Entertainment, from three months to three months: Nevertheleſs, in eighteen months time, they have endured (both Officers and Soldiers) unparallel'd Miſeries, and now a great part of the Service being done, they are rewarded with the concluſion of a Ceſſation, without aſſurance of Entertainment for that time, or any certainty of the Payment of their Arrears, and they muſt conform to the Treaty. This kind of uſage and contempt, would conſtrain good Servants, though His Majeſties *Loyal Subjects*, to think upon ſome courſe which may be ſatisfactory to them, being driven almoſt to *deſpair*, and threatned to be proſecuted by the *Roman Catholick Subjects* (as they are now called); nevertheleſs, to avoid the foreſaid Contempt (and in Obedience to His Majeſties Command) I have moved the Army for the time, to ceaſe any *Hoſtile Act* againſt our Enemies, till ſuch time as your Lordſhips will be pleaſed to conſider better of our preſent Condition, and grant us time to acquaint the *General*, who has only Commiſſion over the Army, to adviſe us how to behave our ſelves in this Exigency, ſince I (as Governour of *Carickfergus*) can give your Lordſhips no poſitive Anſwer to this *Ceſſation* in the Name of our Army, having not abſolute power over them; and immediately after receiving the Generals Reſolution, your Lordſhips ſhall be acquainted therewith, which is the leaſt favour your Lordſhips can vouchſafe upon us, in recompence of our by-gone Service. And ſo I remain,

Armagh, 29. *Sept.* 1643.

Your Lordſhips Humble and Obedient Servitor,
ROBERT MONRO.

To the Right Honourable the Lords Juſtices and Council.

Octob. 15. 1643.

The Rebels Aſſembly at Kilkenny *to the Lords Juſtices, to vindicate themſelves from Calumnies caſt upon them by* Monroe.

Our very good Lords,

WE whom His Majeſties Catholick Subjects, of this Kingdom, did intruſt in the Management of our Affairs, have, by our publick Act, ratified and confirmed the Articles of Ceſſation, concluded upon by our Commiſſioners, willingly and chearfully, hoping in the quiet of that time, aſſigned for it, by the benefit of the *acceſs which His Majeſty is graciouſly pleaſed to afford us, to free our ſelves from thoſe odious Calumnies wherewith we have been Branded*, and to render our ſelves worthy of favour by ſome acceptable Service, ſuiting the expreſſion we have often made, and the real Affections and Zeal we have to ſerve His Majeſty, and in as much as we are given to underſtand, that the *Scots* (who not long ſince in great numbers came over into this Kingdom, and by the ſlaughter of many Innocents, without diſtinction of Age or Sex) have poſſeſſed themſelves of very large Territories in the *North*, and ſince the notice given them of the Ceſſation, have not only continued their former Cruelties upon the perſons of weak and unarmed multitudes, but have added thereunto the burning of the Corn belonging to the Natives within that Province of *Ulſter*. Notwithſtanding which Outrages, we hear that they have (although but faintly, and with relation unto the conſent of their General) after ſome days Conſulted whether it were convenient for their Affairs, deſired

to

An. 1644. to partake in the *Ceſſation*, intending, as is evident by their proceedings, ſo far only to admit thereof, as it may be beneficial for their Patrons, the *Malignant Party*, now in Arms againſt His Majeſty in *England*, by diverting us from aſſiſting His Majeſty, or of advantage to their deſire, of eating further into the Bowels of our Country. We who can accuſe our ſelves *of no one hollow thought, and deteſt all ſubtile practices*, cannot *think of ſerving two Maſters, or ſtanding Neuters, where our King is party*; and being deſirous, none ſhould reſide in this Kingdom, but *His Majeſties good Subjects*, we beſeech your Lordſhips therefore, that theſe who have other ends than His Majeſties Service and Intereſt, and are ſo far from permitting the Natives to enjoy three parts of what they have ſowen, as they may with no ſecurity look upon their former Habitations, and do abſolutely deny to reſtore their Priſoners, contrary to the Articles of Ceſſation, may, by the joynt power of all His Majeſties good Subjects, within this Kingdom, of what Nation ſoever, be proſecuted; and that while theſe Succours are in preparation, our proceedings againſt them may no way be imputed unto us, as a deſire any way to violate this *Ceſſation*. And we do further pray your Lordſhips, that for our juſtification therein, you will be pleaſed to tranſmit unto His Majeſty theſe our Letters, and to ſend unto us the Copy of thoſe directed unto your Lordſhips, from Serjeant Major *Monro*, concerning this matter. Thus, with the remembrance of our heartieſt wiſhes unto your Lordſhips, we reſt

Your Lordſhips Loving Friends,

Kilkenny, 15. *Oct.* 1643.
receiv'd 25.

Montgarret, *Caſtlehaven*, *Audly*, *H. Armach*, *Jo. Clonfert*, *Th. Fr. Dublin*, *R. Beling*, *N. Plunket*, *Gerrard Fennel*.

To the Right Honourable the Lords Juſtices and Council.

The Ceſſation being concluded, ſeveral *Engliſh* Regiments that before ſerved againſt the *Iriſh* Rebels, were Tranſported for *England*, as Sir *Michael Earnleys*, Sir *Rich. Fleetwoods*, Col. *Monk*, Col *Gibſons*, and Col. *Warrens*, who all were obliged to take this following Oath, before they left *Ireland*.

The Oath which all the Officers and Soldiers took before they left Ireland.

'I *A. B.* reſting fully aſſured of His Majeſties moſt Princely Truth and Goodneſs, 'do freely, and from my Heart, Promiſe, Vow, and Proteſt, in the preſence 'of Almighty God, that I will, to the utmoſt of my Power, and with the ha-'zard of my Life, Maintain and Defend the true Proteſtant Religion, Eſtabliſhed 'in the Church of *England*, His Majeſties Sacred Perſon, his Heirs and Lawful 'Succeſſors, and His Majeſties Juſt Powers and Prerogatives, againſt the Forces 'now under the Conduct of the Earl of *Eſſex*, and againſt all other Forces what-'ſoever, that are, or ſhall be raiſed, contrary to His Majeſties Commands and 'Authority.

'And I will do my beſt endeavour to procure and re-eſtabliſh the Peace and 'Quietneſs of the Kingdom of *England*.

'And I will neither directly, or indirectly, divulge or communicate any thing 'to the ſaid Earl of *Eſſex*, his Officers, or any other, to hinder or prejudice the 'deſigns of His Majeſty, in the Conduct or Imployment of his Army.

The Precept for taking this Oath, by the Lieutenant General of His Majeſties Army.

The Precept for taking the aforeſaid Oath, Octob. 13.

'WHereas His Majeſty hath been pleaſed to Command the preſent Tranſpor-'tation of a part of his Army here into *England*, I do think fit, and here-'by Order, that every Officer and Soldier, to be Tranſported hence, do take the 'Oath above written, before they depart this Harbour.

Given at His Majeſties Caſtle of Dublin,
13th. *of* Octob. 1643.

ORMOND.

An. 1644

To the Right Honourable the Lords Chief Juſtices and Council.

The Humble Petition *of divers of His Majeſties Proteſtant Subjects of* Ireland.

Humbly ſheweth,

The Petition of the Proteſtants in Ireland, Octob. 6. 1643.

THat your Petitioners being preſſed by extream Neceſſities, and their great Sufferings, in the preſent Rebellion, for remedy thereof, deſire to Addreſs themſelves to His Sacred Majeſty by their Agents: And becauſe they underſtand by His Majeſties Proclamation, and the Articles of *Ceſſation* lately publiſhed in Print, that the *Romiſh Catholicks* are admitted to ſend Agents to His Majeſty, who will doubtleſs watch all opportunities to prejudice your Supplicants,

They humbly pray that your Lordſhips will be pleaſed to be a means that they be not admitted to His Majeſty, until your Supplicants Agents may be preſent; which ſhall be with all convenient ſpeed. And to that end, they humbly deſire that your Lordſhips will be pleaſed *to grant Licenſe* unto ſuch as your Supplicants ſhall from time to time appoint to attend His Majeſty, touching the premiſſes, and in regard that your Supplicants conceive that the Diſſolving of this Parliament (which by the alteration of the late Lords Juſtices will ſhortly determine, unleſs by Special Commiſſion the ſame be continued) may prove of very evil conſequence to His Majeſties good Subjects.

They humbly pray that your Lordſhips will be pleaſed to commend the ſame effectually to His Majeſties Pious Conſideration, that timely direction may arrive for continuance thereof.

Octob. 12. 1643. *Signed by the Earl of* Kildare, *the Lord Viſcount* Montgomery, *the Lord* Blaney, *and many others.*

The Juſtices Anſwer, Octob. 12.

UPon Conſideration of this Petition, we think fit to let the Petitioners know that His Majeſty (out of his gracious care of his Affairs, and good Subjects here) hath been pleaſed already to ſignifie hither his Royal intention, to call into *England* ſome ſuch able and fitting Miniſters or Servants, of His Majeſties on this ſide, as are fit to be ſent into *England*, to aſſiſt in the Treaty there, when the perſons to be imployed to His Majeſty from the *Iriſh*, ſhall go over; and His Majeſties Royal purpoſe therein is already ſo far advanced, as the Names of fit and able perſons of eminent Quality, free from any Exception, and well Experienced in the Affairs of this Kingdom, are already tranſmitted to His Majeſty, that ſo he may make choice of ſuch as he ſhall think fit; ſo as all that could be thought of, neceſſary for the good of His Majeſties Proteſtant Subjects, His Majeſty hath already provided for, with great Piety and Wiſdom: Yet we (who well know His Majeſties abundant care and tenderneſs of his Proteſtant Subjects here) being deſirous to give the Petitioners all needful ſatisfaction in their deſires, ſo far as may conſiſt with the Duty we owe to His Majeſty, and looking into former times, do find that when Agents were ſent from this Kingdom to attend His Majeſty, by the approbation of this Board, it was by His Majeſties gracious Licenſe firſt obtain'd; wherefore we hold it our Duties, at this time, alſo to reſerve that part for His Majeſty. And therefore we do forbear of our ſelves, to give any direction therein, but do intend humbly to Tranſmit a Copy of this their Petition to His Majeſty, which alſo anſwers the Petitioners requeſt concerning the Parliament, and we will labour to obtain a ſignification of his good pleaſure therein with all convenient ſpeed, which we ſhall readily obey; and if in the mean time there be any matter of grievance offered by the Petitioners to us, which is in our power to redreſs here, we do let the Petitioners know we ſhall be ready to hear it, and to interpoſe His Majeſties Authority intruſted with us, towards their Juſt Relief therein.

Jo. Borlace, *Roſcomon,*
Ormond, *H. Tichborne,*
Cha. Lambert, *Fra. Willoughby,*
Tho. Lucas, *Ja. Ware,*
Edw. Brabaſon, *Ant. Midenſis.*

To

An. 1644.

To the Right Honourable the Lords Juſtices, and Council.

The Humble Petition of divers of His Majeſties Proteſtant Subjects as well Commanders of His Majeſties Army as others.

The Petition of the Proteſtants in Ireland October 6th 1643.

Humbly ſheweth unto your Lordſhips,

THat we have received your Lordſhips Anſwer in writing to our Petition, whereby we perceive His Majeſties abundant care and tenderneſs of us, which we ſhall with all humble thankfulneſs ever acknowledge, together with your Lordſhips readineſs therein. And whereas we find in your Lordſhips ſaid anſwer your willingneſs for redreſs of any manner of grievance, which is in your Lordſhips power; We do humbly herewith offer unto your Lordſhips a Copy of our moſt humble Petition, which we prepared to preſent to His Sacred Majeſty wherein we ſet down part of our Grievances.

Humbly deſiring your Lordſhips to take the ſame into your grave conſideration, and ſo far to condeſcend to our juſt demands in our former Petition and humble Motions to your Lordſhips expreſt, for the *Licenſe* and recommendation of our *Agents* and Petition to His Sacred Majeſty, as that the cauſe of our Religion, of our ſelves and our poſterity, (whereof His Majeſty is ſo abundantly careful,) His Majeſties Honour and ſervice being ſo much concerned therein, may not ſuffer through delay or want of true and full Information, which your ſupplicants humbly conceive cannot be without particular Perſons or Agents from the ſeveral parts of this Kingdom to that end choſen (by thoſe who have now ſuffered) to ſolicite and wholly to attend to ſame.

And they ſhall ever pray, *&c.*

The Anſwer, 19 *Octob.* 1643.

THE Anſwer which on the Twelfth of this Month we gave to a former Petition concerning this matter exhibited at the Board in this name of divers of His Majeſties Proteſtant Subjects of *Ireland*, doth fully anſwer the requeſt of your Petition to which we can now add, that ſuch is our care of the Petitioners, as that on the ſame day we gave them that anſwer, we ſigned Letters directed to Mr. Secretary *Nicholas*, and encloſed therein their Petition to us, and we have by thoſe Letters earneſtly intreated Mr. Secretary, that with all convenient ſpeed we may underſtand His Majeſties gracious pleaſure therein, which we ſhall readily obey; And if the Petitioners ſhall think fit to ſend any to attend His Majeſty as we ſhall not hinder them, or any other from making their humble application to His Majeſty in any their occaſions, ſo we hold it agreeable with our Duties to forbear our Recommendation for the reaſons expreſſed in our ſaid Anſwer of the Twelfth of this Month, until we firſt underſtand His Majeſties good pleaſure therein.

Ormond — *Hen. Tichborne.*
Jo. Borlace — *Roſcomon*
Cha. Lambert — *Geo. Sherly*
Ja. Ware — *Tho. Rotheram*

An. Midenſis
Fra. Willoughby

1643.

Kings Licenſe to the Proteſtant Agents to repair to his Majeſty then Oxford November 6th

About the beginning of *January* a Letter from His Majeſty dated 6 *November*, 1643. arrived at *Dublin* licenſing the Proteſtant Agents to repair to His Majeſty, which followeth in *hæc verba.*

CHARLES REX!

RIght *Truſty and well beloved Counſellors, and right truſty and right well beloved Cozens and Counſelours, we greet you well, we have ſeen your Letters to Secretary* Nicholas *of the* 18*th of* October 1643. *with the Copy of a Petition [illegible]*

the 6th day of that Month by your Cozens the Earl of Kildare *and Lord Viſcount* Ardes, *and divers others in the Names of more of our Proteſtant Subjects in that our Kingdom; and what Anſwer you then made thereupon, with a reſervation till our pleaſure ſhould be ſignified concerning their Requeſts. We have likewiſe ſeen your Letter to our ſaid Secretary of the 25th of the ſame Month, with the Copy of a Petition to us, and a Liſt of the Subſcribers, in the Name of divers of our Proteſtant Subjects, as well Commanders as others in that our Kingdom, and a Copy of their Petition to you, in purſuance of their former, with your Anſwer thereupon; In all which we find you have very prudently done what befits your Duties to us: The Four nominated by the Petitioners we are pleaſed may repair hither over and above the Perſons by us formerly appointed, with fitting Inſtructions concerning the Grievances mentioned in the Petition aforeſaid, and that you permit them accordingly to come over, when or before the Perſons to be ſent from our Roman Catholick Subjects of that our Kingdom ſhall come; And if hereafter our ſaid Proteſtant Subjects ſhall deſire to add more to them, upon declaration of their Names who are deſired to be added to you, and your advertiſement thereof to us, you ſhall receive further direction; And ſo we bid you heartily farewel. Given at our Court at* Oxford *the 6th day of* November *in the 19th year of our Reign,* 1643. 20 Caroli.

To our right truſty and well beloved Counſellours Sir John Borlace *and Sir* Henry Tichbourne *Knights, Lords Juſtices, and to our right truſty, and right well beloved Couſens and Counſellours, the Lords and other of our Privy-Council of our Kingdom of* Ireland.

By His Majeſties Command.

Edward Nicholas.

This Letter arrived not in *Ireland* till *January*, 164$\frac{3}{4}$. on the 21*th* of which Moneth *James* Marqueſs of *Ormond* was ſolemnly in *Chriſt Church Dublin* ſworn Lord Lieutenant of that Kingdom.

Names of the Proteſtant Agents.

The Agents firſt nominated by the Proteſtants, were Sir *Francis Hamilton* Knight and Baronet; Captain *William Ridgeway*, Captain *Michael Jones*, and Mr. *Fenton*, Parſons, but Mr. *Jones* declining to accept of the Agency, they on the 26th of *February* nominated two others, *viz.* Sir *Charles Coot* Knight and Baronet, and Captain *W. Parſons* to be added to the other before named, but before they could be admitted, their Names were to be ſent into *England* to know His Majeſties pleaſure, who by His Gracious Letter of the 27th of *February*, which arrived at *Dublin March* the 29th was pleaſed to admit them.

In the mean time the Agents for the *Iriſh* Roman Catholicks, *viz.* The Lord Viſcount *Muskery*, Sir *Robert Talbot*, *Dermot Mac Trag O Brian*, and others got the ſtart of them, and got to the Court at *Oxford* before them.

On the 2 of *April* the Proteſtant Agents took ſhipping at *Dublin*, and on the 17th of that Moneth arrived at *Oxford*, and the ſame day delivered to Mr. Secretary *Nicholas*, certain ſealed Letters ſent by them from the Lord Lieutenant and Council, deſiring to know the fitteſt time to wait on His Majeſty to perſent Him with the Petition from the Proteſtants in *Ireland*, who appointed them the next Morning at Nine of the Clock in the Garden at *Chriſt Church*, where after kiſſing His Majeſties Hands, they preſented the ſaid Petition, which was in theſe words.

To the Kings moſt Excellent Majeſty.

The humble Petition of divers of your Majeſties Proteſtant Subjects in your Kingdom of Ireland, *as well Commanders of your Majeſties Army here, as others, whoſe Names are ſubſcribed, in the behalf of themſelves and other your Proteſtant Subjects in this your Kingdom.*

The before mentioned Petition of the Proteſtant Subjects in Ireland, *as well Commanders as others to His Majeſty preſented at* Oxford, April 25. 1644.

Sheweth,

THat this Your Highneſſes Kingdom reduced with the vaſt expence of Treaſure and much effuſion of *Britiſh* Blood, to the obedience of the Imperial Crown of *England*, hath been by the Princely Care of your Royal Progenitors, eſpecially of Queen *Elizabeth*, and of your Royal Father of ever bleſſed memory, and your ſacred Majeſty, in many parts happily planted, great Sums of Money diſburſed in Buildings and Improvements, Churches edified and endowed, and frequented with Multitude of good Proteſtants, and your Cuſtoms and Revenues raiſed

An. 1644.

to great yearly Sums, by the Induſtry of your Proteſtant Subjects eſpecially, and great Sums of Money by way of Subſidies and Contributions, chearfully paid unto your Majeſty by your ſaid Subjects. In which happineſs, this your Kingdom hath flouriſhed in a long continued Peace, and under your Highneſs moſt Glorious and Happy Government, until that by the preſent general Conſpiracy and Rebellion, raiſed out of deteſtation of your bleſſed Government, and for the rooting out of the Proteſtant Religion; and ſo for the diſpoſſeſſing of your Majeſty of this your ſaid Kingdom, without the leaſt occaſion offered by your Majeſty, or your Proteſtant Subjects. And notwithſtanding that your Majeſty immediately before had inlarged beyond preſident, your Royal favour and bounty to them, in granting all that their, and our joynt Agents, did deſire of your Majeſty, and we continuing amongſt them in all Love and Amity, without diſtruſt, your Petitioners and others, who laboured to oppoſe thoſe damnable Deſigns and Practices, have been driven from their Dwellings, Eſtates, and Fortunes, their Houſes and Churches burnt and demoliſhed, all Monuments of Civility utterly defaced, your Majeſties Forts and places of Strength thrown down, and the Common and Statute Laws of this your Kingdom utterly confounded, by taking upon themſelves the exerciſe of all manner of Authorities and Juriſdictions Eccleſiaſtical and Civil, both by Land and Sea, proper and peculiar to your Sacred Majeſty, being your Juſt Prerogatives, and the Royal Flowers of your Imperial Diadem, to the Diſheriſon of your Crown, and your Royal Revenue brought to nothing, and the Proteſtant Clergy with their Revenues and Support, for the preſent deſtroyed. This your Kingdom in all parts formerly Inhabited with *Britiſh* Proteſtants, is now depopulated of them, and many thouſands of your Proteſtant Subjects moſt Barbarouſly uſed, ſtripped Naked, Tortur'd, Famiſhed, Hanged, Buried a Live, Drowned, and otherwiſe, by all Barbarous cruel ſorts of Death Murthered; ſuch as yet remain of them are reduced to that extremity, that very few of them have wherewithal to maintain a Being, and all of them ſo terrified and afflicted with thoſe Barbarous and Inhumane Cruelties (the truth whereof being now ſpread abroad into the Chriſtian World) your Supplicants conceive fears that your Majeſties *Britiſh* Subjects will be diſcouraged from coming again to Inhabit this Kingdom, and the remnant of the *Britiſh* left here will be forced to depart. All this being done by the Conſpiracy of the Papiſts, who did publickly declare the utter Extirpation of the Proteſtant Religion, and all the *Britiſh* Profeſſors thereof, out of this your Majeſties Kingdoms, and to the end it may the better in ſome meaſure appear, your Supplicants have made choice of Captain Mr. *William Ridgeway*, Sir *Francis Hamilton*, Knight and Barronet, Captain *Michael Jones*, and Mr. *Fenton*, perſons whom they have imployed and authorized as their Agents, to manifeſt the Truth thereof in ſuch particulars, as for the preſent they are furniſhed withal, referring the more ample manifeſtation thereof, to the ſaid Captain Mr. *William Ridgeway*, Sir *Francis Hamilton*, Captain *Jones*, and *Fenton Parſons*, or any three or more of them, and ſuch other Agents, as ſhall with all convenient ſpeed be ſent, as occaſion ſhall require, to attend your Majeſty, from your Proteſtant Subjects of the ſeveral Provinces of this your Kingdom.

We therefore, your Majeſties moſt Humble, Loyal, and Obedient Subjects, caſting down our ſelves at your Royal Feet, and flying to you for Succour and Redreſs in theſe our great Calamities, as our moſt Gracious Soveraign Lord and King, and next and immediately, under Almighty God, our Protector and Defence; moſt humbly beſeeching your Sacred Majeſty, to admit into your Royal preſence, from time to time, our ſaid Agents, and in your great Wiſdom, to take into your Princely Care and Conſideration, the diſtreſſed Eſtate, and humble Deſires of your ſaid Subjects, ſo that to the Glory of God, your Majeſties Honour, and the Happineſs of your good Subjects, the Proteſtant Religion may be reſtored throughout the whole Kingdom to its luſtre, that the loſſes of your Proteſtant Subjects may be repaired in ſuch manner and meaſure, as your Majeſty in your Princely Wiſdom ſhall think fit, and that this your Kingdom may be ſo ſettled, as that your ſaid Proteſtant Subjects may hereafter live therein, under the happy Government of your Majeſty and your Royal Poſterity, with Comfort and Security, whereby your Majeſty will render your ſelf, throughout the whole World, a moſt Juſt and Glorious Defender of the Proteſtant Religion, and draw a Bleſſing on all other your Royal Undertakings; for which, your Petitioners will ever pray, &c.

Subſcribed by the Earl of Kildare, *the Lord Viſcount* Montgomery, *the Lord* Blany, *and many others, and read in the Commons Houſe of Parliament in* Ireland, Feb. 17. 1643. *who declared their Cauſe juſt.*

An. 1644.

At the Court at *Oxford*, the 25th. of *April*, 1644.

The Kings Anſwer.

HIS Majeſty being very ſenſible of the Petitioners Loſſes and Sufferings, is ready to hear and relieve them, as the exigency of his Affairs will permit, and wiſheth the Petitioners to propoſe what they think fit, in particular, for His Majeſties Information, and the Petitioners Remedy, and future Security.

EDW. NICHOLAS.

And His Majeſty looking upon the Petition, and the Names of the Subſcribers, commanded the ſame to be read, and after the reading thereof, His Majeſty was pleaſed to expreſs himſelf, *That he knew the Contents of the Petition to be truth, and that the ſame could not be denied*, and required the Proteſtant Agents to reduce the generals of the Petition into particulars. And His Majeſty further ſaid to the ſaid Agents, That the *Agents for the* Iriſh *took it upon their Salvation* unto him, that the Conſpiracy in *Ireland* at firſt was *not general*, and that the *Engliſh Pale* of *Ireland* were *forced into Rebellion by his Governours of* Ireland, and that if his Parliament of *England* had permitted him, to have gone into *Ireland* when he deſired, he doubted not but he ſhould *ſoon* have ſuppreſſed that Rebellion.

His Majeſty having directed the Proteſtant Agents, by his anſwer on the ſaid Petition, to repreſent what they ſhould think fit, in particular, for His Majeſties Information, and the Petitioners Remedy, and future Security; the ſaid Agents likewiſe taking into conſideration a ſcandalous and moſt falſe Remonſtrance of the *Iriſh* Rebels, preſented to His Majeſties Commiſſioners at *Trim*, in *Ireland*, the 24th. of *March*, 1642. which afterwards was printed at *Waterford* by *Thomas Bonoke*, Printer to the Confederate *Roman Catholicks* of *Ireland*, whereunto he affixed His Majeſties Arms; many of which Books were publiſhed and diſperſed by the Rebels, not only in *Ireland*, but at *Oxford*, and other parts of this Kingdom, and in Foreign parts, of purpoſe to aſperſe the late Government there, and His Majeſties good and faithful Proteſtant Subjects, and to put a ſhew of Reaſon upon the Barbarous and Inhumane Cruelties which the ſaid Rebels had acted on the Proteſtants of *Ireland*, unprovoked, in time of full peace: They therefore thought fit to preſent to His Majeſty ſome Collections of known Truths, in anſwer to the ſaid Remonſtrance of the Rebels in *Ireland*. An Abridgement of which anſwer of theirs you have before in the firſt Chapter touching *Ireland*, the ſame chiefly relating to the beginning and pretended occaſions of the Rebellion.

They alſo preſented His Majeſty then with their firſt Propoſitions, which were theſe.

The Proteſtant Agents firſt Propoſitions.

1. WE moſt humbly deſire the Eſtabliſhment of the true Proteſtant Religion in *Ireland*, according to the Laws and Statutes in the ſaid Kingdom now in force.

2. That the Popiſh Titular Archbiſhops, Biſhops, Jeſuites, Friers and Prieſts, and all others of the *Roman* Clergy, be Baniſhed out of *Ireland*, becauſe they have been the ſtirrers up of all Rebellions, and while they continue there, there can be no hope of ſafety for Your Majeſties Proteſtant Subjects; and that all the Laws and Statutes Eſtabliſhed in that Kingdom againſt Popery and Popiſh Recuſants, may continue of Force, and be put in due Execution.

3. That Reſtitution may be made of all our Churches and Chappels, re-edified and put in as good Eſtate as they were at the breaking out of the Rebellion, and as they ought to be, at the Charge of the Confederate *Roman Catholicks* (as they call themſelves) who have been the occaſion of the deſtruction of the ſaid Churches, and poſſeſſed themſelves of the profits and Revenues thereof.

4. That the Parliament now ſitting in *Ireland* may be continued there, for the better ſettlement of the Kingdom; and that all perſons duly Indicted in the ſaid

An. 1644. Kingdom of Treaſon, Felony, or other hainous Cri[illegible]es may be duely and legally proceeded againſt, outlawed, tried, and adjudged according to [illegible] and that all perſons lawfully Convicted and attainted, or to be [illegible] for the ſame may receive due puniſhment accordingly.

5. That no Man may take upon him or execute the Office of Maior, or Magiſtrate in any Corporation, or the Office of a Sheriff, or Juſtice of Peace in any City or County in the ſaid Kingdom; Until he hath [illegible] the Oaths of Supremacy and Allegiance.

6. That all Popiſh Lawyers who refuſe to take the Oaths of Supremacy and Allegiance may be ſuppreſſed and reſtrained from practice in that Kingdom, the rather becauſe the Lawyers in *England* do not here practice, until they take the Oath of Supremacy; and it hath been found by woful experience that the advice of popiſh Lawyers to the People of *Ireland*, hath been a great cauſe of their continued diſobedience.

7. That there may be a preſent abſolute ſuppreſſion and diſſolution of all the aſſumed arbitrary and tyrannical power, which the ſaid Confederates exerciſe over your Majeſties Subjects both in Cauſes Eccleſiaſtical and Temporal.

8. That all the Arms and Ammunition of the ſaid Confederates be ſpeedily brought in to your Majeſties Stores.

9. That your Majeſties Proteſtant Subjects, ruined and deſtroyed by the ſaid Confederates, may be repaired for their great loſſes, out of the eſtates of the ſaid Confederates, not formerly by any Acts of this preſent Parliament in *England* otherwiſe diſpoſed of, whereby they may the better be enabled to re-inhabit and defend the ſaid Kingdom of *Ireland*.

10. That the ſaid Confederates may rebuild the ſeveral Plantations, Houſes and Caſtles deſtroyed by them in *Ireland*, in as good ſtate as they were at the breaking out of the Rebellion, which your Majeſties Proteſtant Subjects have been bound by their ſeveral Patents to build and maintain for your Majeſties Service.

11. That the great Arrears of Rents due to your Majeſty out of the eſtate of your Majeſties Proteſtant Subjects, at, and ſince *Michaelmas* 1641, may be paid unto your Majeſty by ſuch of the ſaid Confederates who have either received the ſaid Rents to the uſes of the ſaid Confederates, or deſtroyed the ſame by diſabling your Majeſties Proteſtant Subjects to pay the ſame, and have alſo deſtroyed all, or the moſt part of all other Rents or means of ſupport belonging to your ſaid Proteſtant Subjects. And that your ſaid Proteſtant Subjects may be diſcharged of all ſuch arrears of Rents to your Majeſty.

12. That the ſaid Confederates may give ſatisfaction to the Army for the great Arrears due unto them ſince the Rebellion, and that ſuch Commanders as have raiſed Forces at their own charges, and laid forth great Sums of Money out of their own Purſes, and engaging themſelves for money and proviſions to keep themſelves, their Holds, and Soldiers under their Commands, in due and neceſſary defence of your Majeſties Right and Laws, may be in due ſort ſatisfied, to the encouragement of others in like times and caſes which may happen.

13. That touching ſuch parts of the Confederates eſtates, as being forfeited for their Treaſons, are come or ſhall duely come into your Majeſties hands, and poſſeſſion by that Title, your Majeſty after due ſatisfaction firſt made to ſuch as claim by former Acts of Parliament, would be pleaſed to take the ſame into your own hands, and poſſeſſion, and for the neceſſary increaſe of your Majeſties Revenue, and better ſecurity of your ſaid Kingdom of *Ireland*, and Proteſtant Subjects living under your gracious Government there, to plant the ſame with *Britiſh* and Proteſtants upon reaſonable and honourable Terms.

14. That one good Walled Town may be built and kept repaired in every County of the ſaid Kingdom of *Ireland*, and endowed and furniſhed with neceſſary and ſufficient means of Legal and juſt Government and defence for the better ſecuring

ſecurity of your Majeſties Laws and Rights, more eſpecially the true Proteſtant Religion in times of danger. In any of which Towns no Papiſts may be permitted to dwell or inhabit.

15. That for the better ſatisfaction of Juſtice and your Majeſties Honour, and for the future ſecurity of the ſaid Kingdom, and your Majeſties Proteſtant Subjects there, examplary Puniſhment according to Law, may be inflicted upon ſuch as have there traiterouſly levied War, and taken up Arms againſt your Majeſties Proteſtant Subjects and Laws, and therein againſt your Majeſty, eſpecially upon ſuch as have had their hands in the ſhedding of innocent blood, or to do with the firſt Plot or Conſpiracy, or ſince that time have done any notorious Murder, or Overt Act of Treaſon.

16. That all your Majeſties Towns, Forts, and places of ſtrength deſtroyed by the ſaid Confederates ſince the ſaid Rebellion, may be by them, and at their charges re-edified and delivered up into your Majeſties Hands, to be duely put into the Government, under your Majeſty and your Laws, of good Proteſtants; and that all Strengths and Fortifications made and ſet up by the ſaid Confederates ſince the ſaid Rebellion may be ſlighted and thrown down, or elſe delivered up and diſpoſed of for Proteſtant Government and ſecurity as aforeſaid.

17. That according to the Preſidents of former times in caſes of general Rebellions in *Ireland*, the Attainders which have been duely had by Outlary for Treaſon done in this Rebellion may be eſtabliſhed and confirmed by Act of Parliament to be in due form of Law tranſmitted and paſſed in *Ireland*, and that ſuch Traitors as for want of Proteſtant and indifferent Jurors to indict them in the proper County, are not yet indicted nor convicted, or attainted by Outlary or otherwiſe may upon due proof of their Offences, be proceeded againſt as to Law appertaineth, and your Majeſty to be adjudged and put in poſſeſſion without any Office or Inquiſition to be had.

18. That your Majeſties Proteſtant Subjects may be reſtored to the quiet poſſeſſion of all Caſtles, Houſes, Mannors, Lands, Tenements, and Heriditaments, and Leaſes, and to the quiet poſſeſſion of the Rents thereof, as they had the ſame before, and at the time of the breaking forth of this Rebellion, and from whence without due proceſs and judgement of Law they have ſince been put or kept out, and may be anſwered of and for all the mean profits of the ſame, in the interim, and for all the time until they ſhall be ſo reſtored.

19. That your Majeſties ſaid Proteſtant Subjects may alſo be reſtored to all their Monies, Plate, Jewels, Houſhold-ſtuff, Goods and Chattels whatſoever, which without due proceſs or judgment in Law have by the ſaid Confederates been taken or detained from them ſince the contriving of the ſaid Rebellion, which may be gained in kind, or the full value thereof, if the ſame may not be had in kind, and the like reſtitution to be made for all ſuch things, which during the ſaid time have been delivered to any perſon or perſons of the ſaid Confederates in truſt to be kept or preſerved, but are by colour thereof ſtill withholden.

20. That the eſtabliſhment and maintenance of a competent Proteſtant Army, ſufficient Proteſtant Soldiers and Forces for the time to come be ſpeedily taken into your Majeſties prudent, juſt, and gracious conſideration, and ſuch a courſe laid down and continued according to the rules of good Government, that your Majeſties Rights and Laws, the Proteſtant Religion and peace of that Kingdom be no more endangered by the like Rebellions in the time to come.

21. That whereas it appeareth in print that the ſaid Confederates, aim at the repeal of *Poynings* Law, thereby to open an eaſie and ready way for the paſſing of Acts of Parliament in *Ireland*, without having of them firſt well conſidered of in *England*, which may produce many dangerous conſequences both to that Kingdom and to your Majeſties other Dominions; your Majeſty would be pleaſed to reſent and reject all propoſitions tending to introduce ſo great a diminution of your Royal and neceſſary power, for the confirmation of your Royal Eſtate, and protection of your good Proteſtant Subjects both there and elſewhere.

22. That

20 *Caroli.*

22. That your Majeſty out of your Grace and Favour to your Proteſtant Subjects of *Ireland* would be pleaſed to conſider effectually of aſſuring them that you will not give order for, or allow of the transmitting into *Ireland* any Act of general Oblivion, Releaſe or diſcharge of Actions or Suits whereby you Majeſties ſaid Proteſtant Subjects there may be barred or deprived of their legal remedies, which by your Majeſties Laws and Statutes of that Kingdom they may have againſt the ſaid Confederates or any of their party, for, or in reſpect of any wrongs done unto them or any of their Anceſtors, or Predeceſſors in or ſince the loſing their Lives, Liberties, Perſons, Goods, or Eſtates ſince the contriving, or taking forth of the Rebellion.

23. That ſome fit courſe may be conſidered of, to prevent the filling or overlaying of the Commons Houſe of Parliament in *Ireland* with popiſh Recuſants, being ill affected Members; and that proviſion be duely made, that none ſhall vote or ſit therein, but ſuch as ſhall firſt take the Oaths of Supremacy and Allegiance.

24. That the proofs and Manifeſtations of the truth of the ſeveral matters contained in the petition of your Majeſties Proteſtant Subjects of *Ireland* lately preſented to your Majeſty may be duely examined, diſcuſſed, and in that reſpect the final concluſion of things reſpited for a convenient time, their Agents being ready to attend with their proofs in that behalf, as your Majeſty ſhall appoint.

Which Remonſtrance, Anſwer and Propoſitions, His Majeſty received from the ſaid Agent the 6th of *April*, 1644. and delivered the ſame to Mr. Secretary *Nicholas*, and then the ſaid Agents deſired him to move His Majeſty that nothing might be concluded with the *Iriſh* Agents, until the ſaid Proteſtant Agents were fully heard, and that they might have a Copy of the Propoſitions of the *Iriſh*.

The Names of the Committee appointed at Oxford *for* Iriſh *Affairs.*

The next day after Mr. Secretary *Nicholas* told them that His Majeſty had referred the Proteſtants Petition, their anſwer to the Rebels Remonſtrances, and their Propoſitions to the Committee for *Iriſh* Affairs, conſiſting of the Lord *Cottington*, the Earl of *Briſtol*, the Earl of *Portland*, Sir *Edward Nicholas*, Sir *John Culpeper*, and Sir *Edward Hide* and others.

The 29th of *April* the Proteſtant Agents being informed by divers perſons of Quality, that the Rebels Agents were upon diſpatch, they waited on the Lord *Cottington* chief of the ſaid Committee, and deſired his Lordſhip to be a means that they might have a Copy of the Rebels Propoſitions to His Majeſty, his Lordſhip ſeemed a ſtranger to the buſineſs, and ſaid he knew not any propoſitions the Rebels had made, and ſaid further that he conceived they meant the *Iriſh* Remonſtrance, whereunto they anſwered that the ſame was long ſince printed, and they were not ſtrangers thereunto; to which his Lordſhip replyed that if any ſuch propoſitions were made, it were fit the ſame ſhould be made known unto them, but that he knew of none ſuch. Notwithſtanding the ſaid Lord *Cottington* was preſent at the Committee appointed by His Majeſty for *Iriſh* Affairs the 19th of *April* when the ſaid propoſitions from the Rebels of *Ireland* were read, and by his Lordſhip and the reſt on inviolable ſecrecy delivered unto Sir *William Stewart*, and Sir *Gerrard Lowther*, Sir *Philip Percival* and Mr. Juſtice *Donvelland*, (who were ſent for out of *Ireland*, and appointed by His Majeſty to adviſe with him upon the Treaty) and who received Command from their Lordſhips not to Communicate the ſaid propoſitions to any body, whereby the Agents were prevented of ſatisfying ſeveral perſons that on falſe grounds and miſinformations of the Rebels and their party (who took liberty to diſcourſe of the reaſonableneſs of the Rebels deſires and of the motives of inducing the ſame) were deluded with an opinion of the moderateneſs of the Rebels propoſitions, and other their proceedings.

Therefore the ſame day the Proteſtant Agents repaired unto Sir *William Stewart*, Sir *Gerard Lowther*, Sir *Philip Percival*, and Juſtice *Donvelland*, and unto Sir *George Radcliffe*, and Sir *William Sambach*, who were added to them for that affair, and acquainted them that they were attending with Inſtructions from His Majeſties Proteſtant Subjects of *Ireland*, and had exhibited a Petition and Propoſitions to His Majeſty, who had promiſed them a gracious hearing, and that they heard that the Rebels Agents were ſomewhat near a diſpatch, and therefore entreated them (who as they underſtood were to be admitted to attend the Lords of the Committee for *Iriſh* Affairs that Afternoon) that they would move their Lordſhips, That the Proteſtant Agents, who had divers things of great Conſequence to offer to their Lordſhips,

ſhips, might be admitted to a full hearing before matters proceeded too far, and that their Lordſhips would admit the ſaid Proteſtants Agents to ſee a Copy of what was moved by the Rebels, being alſo ready to deliver a Copy of the Proteſtants Agents propoſitions.

The next day Sir *George Radcliff* ſent for the Proteſtant Agents, and in the preſence of Sir *William Stewart*, and the reſt of the Gentlemen aforenamed, he told them that he had acquainted the Lords of the Committee with their deſires, and that their Lordſhips commanded them to return this Anſwer, *That their Lordſhips took it ill that the ſaid Agents were ſo forward in prejudicating the Kings Juſtice, and their Lordſhips; That they ſhould be heard at large before any concluſion were.* And ſaid further, that themſelves were thought too forward to preſent ſuch a requeſt, but as to the Proteſtants Agents deſire of having a Copy of the Rebels propoſitions, they received no Anſwer.

The firſt of *May*, the Proteſtant Agents were Commanded to attend the ſaid *Committee for* Iriſh *Affairs*, at the Audit Chamber in *Oxford*, which accordingly they did; at which time their Lordſhips cauſed to be read the *Proteſtants Petition*, and their *Propoſitions* preſented to His Majeſty, and the Inſtructions from the *Proteſtants* of *Ireland*, and the Order of the *Commons Houſe of the Parliament* of *Ireland*, of the 17th. of *Feb.* 1643. declaring the *Concurrence* of that Houſe to the ſaid *Petition*, but the Collections, made in Anſwer of the Remonſtrance of the *Iriſh*, was not read. Then the E. of *Briſtol* told the ſaid Agents, that both the King and themſelves were ſenſible of the *prejudicate Opinion*, which the ſaid Agents had of their Juſtice, by their *preſſures to be heard*, and by their belief of vulgar Reports; that the ſaid Agents could not be more careful of the *Proteſtants*, and *Proteſtant* Religion, then their Lordſhips were. To which the ſaid Agents Anſwered, *That if they had erred in preſſing to be heard, it was out of their* Zeal *to the Service, and for the preſervation of the* Remnant *of the poor Proteſtants of* Ireland, *who intruſted them, and out of a deſire that His Majeſty and their Lordſhips might be* rightly informed *of the paſt Sufferings, and preſent deplorable Condition of the Proteſtants there, which the ſaid Agents humbly deſired might be no otherwiſe repreſented to His Majeſty, and that they might be admitted to the* proof *of the particulars, contained in the ſaid Proteſtant Petition, which they humbly conceived to be of greateſt concernment to them in diſcharge of their Truſt.* Whereupon, the ſaid Agents were bidden to withdraw, and ſoon after were called in again, and commanded to Subſcribe the Propoſitions, which they had formerly preſented to His Majeſty, and were that day read before their Lordſhips, which they did, and the ſame day they were appointed, in the Afternoon, to attend the Lord Primate, the Lord Biſhop of *Down*, Sir *George Radcliff*, and others. And there Sir *George Radcliff* told them, That they were commanded by the Committee for *Iriſh* Affairs, to let them know how ill they took the height and *unreaſonableneſs* of the ſaid *Propoſitions*, and to deliver them this enſuing Meſſage.

Objections made by the Committee to the proceedings of the Proteſtant Agents.

Firſt, That their Lordſhips did not think that the propoſitions preſented by the Proteſtant Agents to his Majeſty, and that Morning read before their Lordſhips, were the ſence of the Proteſtants of *Ireland.*

Secondly, That thoſe propoſitions were not agreeable to the *Inſtructions* given the ſaid Agents by the Proteſtants of *Ireland.*

Thirdly, That as thoſe Propoſitions were drawn, they would lay a prejudice on His Majeſty, and his Miniſters, to poſterity, theſe remaining on Record, if a Treaty ſhould go on, and a Peace follow, which the Kings Neceſſity did enforce; and that the Lords of the Committee apprehended the ſaid Agents did flatly oppoſe a peace with the *Iriſh.*

Fourthly, That it would be impoſſible for the King to grant the *Proteſtant* Agents deſires, and grant a Peace to the *Iriſh.*

Fifthly, That the Lords of the Committee deſired the Proteſtant Agents to propoſe a way to effect their deſires, either by *Force* or *Treaty*, conſidering the condition of His Majeſties Affairs in *England.*

To which Meſſage, the Proteſtant Agents gave Anſwer to this effect.

The Agents Anſwer.

TO the Firſt, That they humbly conceived that the propoſitions which they had preſented to His Majeſty, were the ſenſe of the *Proteſtants* in *Ireland.*

To the Second, That the propoſitions were agreeable to the Inſtructions given to

An. 1644.

to the said Agents, by the *Protestants* of [illegible] well settlement of that Kingdom.

To the Third, That they had no [illegible] their Lordships, by putting in those [illegible] *Propositions*, had not His Majesty, by [illegible] the same.

To the Fourth, The said Agents [illegible] make proof of the effect of the [illegible] *Cruelties* of the Rebels, and then to [illegible] security of the *Protestants* in their Religion, Lives, Liberties, and Fortunes, that the said *Protestants* had no disaffection [illegible] cording to Law, as in the propositions [illegible] might be *repaired* for their Losses out of the Estates of the Rebels, nor Remedy by any Acts of this present *Parliament* in *England* otherwise disposed of; which the said Agents desired might be represented to His Majesty and the Lords of the Committee accordingly.

To the Fifth, That the said *Protestant Agents* were *Strangers* to His Majesties Affairs in *England*, and conceived that part more proper for the Advice of his Council than the said Agents, and therefore desired to be excused from meddling in the Treaty, further then the *manifesting of the truth of the Protestant Petition*, and proposing in the behalf of the *Protestants*, according to the Instructions given them; which the said Agents were ready to perform, whensoever they should be admitted thereunto.

Which Answers having been read before their Lordships, Sir *George Radcliff* told the said Agents, *That while they continued so high and unreasonable in their Propositions, they must expect nothing but War.* To which the Agents answered, *That they were ill furnished for a Peace, but had rather undergo the hazard of a War, then consent to a Dishonourable and Destructive Peace.* And they further answered, *That they should betray the Trust reposed in them by the Protestants of* Ireland, *if they did admit of any further alterations of the said Propositions, (then as is hereafter mentioned) which the said Agents were resolved upon no terms to do.* Then Sir *George Radcliff* said, That he was sure that if the said Agents would fall *three parts of four of the said Propositions, that the fourth part would not be consented unto*; and afterwards Sir *George Radcliff* told them, that they were sent over by the *Protestants* of *Ireland* to *preserve them*, and unless the said Agents consented to a peace, His Majesty being in no condition to send them any relief, the *Irish* upon their Agents return home, *would destroy the remnant of the Protestants of Ireland*, and therefore desired the said Agents to consider of some way to secure them. To which it was answered by the *Protestant Agents*, That there *were five months yet to come to the end of the Cessation, within which time means might be found for their Relief*; and that it were better that the Protestants should *quit Ireland* for a time, then consent to a Destructive peace. Then Sir *George* asked how they could get the Protestants from thence? To which it was answered, by one of them, *That His Majesty might make stay of the* Irish *Agents in* England, *until the Protestants were brought out of* Ireland. Sir *George Radcliff* replied, *That he had rather advise the King to lose that Kingdom, then that he should violate his Word with the* Irish *Agents, who were come to treat with His Majesty, and had His Majesties promise for the safe return.* And the said Sir *George* said further, That if the *Irish had not good conditions, it was not likely that they would forbear Arms until the end of the time limited by the Articles of Cessation.*

The next day the Protestant Agents delivered some alterations of their former propositions, being the utmost they said they would comply unto without betraying the Trust in them Reposed; which propositions then ran in these words.

The humble Propositions of your Majesties Agents in Ireland, *in pursuance of the humble Petition of your Majesties Protestant Subjects, as well Commanders of your Majesties Army there, as others presented to your Majesty the 18th. day of* April. 1644. *and answered by your Majesty the 25th. of the same.*

The Protestant Agents second Proposition.

1. WE most humbly desire the Establishment of [illegible] Religion in *Ireland*, according to the Laws and Statutes [illegible] dom now.

2. That Popery and Popiſh Recuſants may be ſuppreſſed according to the Laws and Statutes Eſtabliſhed in *Ireland*. *An.* 1644.

3. That the Parliament now ſitting in *Ireland*, may be continued for the better ſettlement of that Kingdom, for if that Parliament ſhould be diſſolved, there would be few or no Proteſtant Freeholders found in that Kingdom, they being either killed, or baniſhed by this Rebellion, to Elect or Chuſe any of your Majeſties Proteſtant Subjects to ſit in Parliament hereafter; which, by conſequence, may be deſtructive to your Majeſties Rights and Prerogatives, and Proteſtant Subjects, in their Lives, Liberties, and Fortunes.

4. That all ſuch Lawyers who refuſe to take the Oaths of Supremacy and Allegiance, may be ſuppreſſed and reſtrained from practice in that Kingdom, the rather becauſe the Lawyers in *England* do not here practice, until they take the Oath of Supremacy: And it hath been found by woful Experience, that the advice of the popiſh Lawyers to the people of *Ireland*, hath been a great cauſe of their continued diſobedience.

5. That there may be at preſent abſolute ſuppreſſion and diſſolution of all the aſſumed Arbitrary and Tyrannical power, which the ſaid Confederate *Roman* Catholicks (as they call themſelves) exerciſe over your Majeſties Subjects, both in Cauſes Eccleſiaſtical and Temporal.

6. That all the Arms and Ammunition of the ſaid Confederates may be brought into your Majeſties hands, when any concluſion ſhall be made.

7. That your Majeſties Proteſtant Subjects, ruined and deſtroyed by the ſaid Confederates, may be repaired, for their great loſſes out of the Eſtates of the ſaid Confederates, not formerly by any Act of Parliament in *England* otherwiſe diſpoſed of, in ſuch manner and meaſure as your Majeſty in your high Wiſdom ſhall think fit, whereby they may be the better enabled to re-inhabit and defend the ſaid Kingdom of *Ireland*.

8. That the ſaid Confederates may rebuild the ſeveral Plantation Houſes, and Caſtles, deſtroyed by them in *Ireland*, in as good ſtate as they were at the breaking out of the Rebellion, which your Majeſties Proteſtant Subjects have been bound by their ſeveral Patents to build and maintain for your Majeſties Service; or otherwiſe, that your Majeſty will diſcharge your ſaid Proteſtant Subjects of that Covenant or Condition in their ſeveral Patents, and that an Act be paſſed in this preſent Parliament to that purpoſe. And whereas ſeveral Caſtles and Houſes were ſurrendered upon Quarter, upon Articles under their hands, with ſolemn Oaths, or otherwiſe, to preſerve the ſaid Caſtles and Houſes from being defaced and demoliſhed: That the ſaid Confederates, who have ſo Articled with any of your Majeſties Proteſtant Subjects, may rebuild the ſaid Caſtles or Houſes, in as good ſtate as they were at the time of ſurrendering up of the ſame upon Articles, as aforeſaid; or ſuch a conſiderable Fine may be Levied out of the Eſtates of the ſaid Confederates, as may rebuild the ſaid Houſes, as your Majeſty in your high Wiſdom ſhall think fit.

9. That the great Arrears of Rent due to your Majeſty, out of the Eſtates of your Majeſties Proteſtant Subjects, at and ſince *Michaelmas*, 1641. may be paid unto your Majeſty by the ſaid Confederates, who have either received the ſaid Rents, to the uſes of the Confederates, or deſtroyed the ſame by diſabling your Majeſties Proteſtant Subjects to pay the ſame, and have alſo deſtroyed all, or the moſt part of all other Rents, or means of ſupport belonging to your ſaid Proteſtant Subjects, or that your ſaid Proteſtant Subjects may be diſcharged of all ſuch Arrearages of Rents to your Majeſty. And that your Majeſty will be further graciouſly pleaſed, to give an abatement of the great Yearly Rents payable from your Proteſtant Subjects for ſome reaſonable time, as in your Majeſties high Wiſdom ſhall be thought fit for their encouragement and enablement to replant that your Kingdom, in reſpect the ſaid Lands for the moſt part depopulated by the ſaid Confederates, will not be worth your Majeſties Rents for a long time.

10. That your Majeſty will be graciouſly pleaſed to take into your Majeſties hands, ſo much of the Confederates Eſtates as are neceſſary to be planted in that Kingdom, for the increaſe of your Majeſties Revenues, towards the defraying of your Majeſties neceſſary charge of that Kingdom, the ſatisfying in ſome meaſure, the Arrears of your Army in *Ireland*, eſpecially thoſe who have laid great Sums of Money out of their own Purſes, and deeply engaged themſelves for Money and Proviſions to keep themſelves, their Holds and Soldiers, under their Commands, in the neceſſary defence of your Majeſties Rights and Laws, and for the encouragement of others in like times and caſes which may happen, who otherwiſe will

An. 1644 be totally ruined by their great Engagements, which we humbly ſubmit to your Majeſties Conſideration; and likewiſe, that your Majeſty will be graciouſly pleaſed, in the ſaid Plantations, to erect and build ſome walled Towns in the ſaid Kingdom of *Ireland*, and endow and furniſh them with neceſſary and ſufficient means of Legal and Juſt Governments, and Defence, for the better ſecuring of your Majeſties Laws and Rights, more eſpecially the Proteſtant Religion, in time of Danger.

11. That for the better ſatisfaction of Juſtice, and your Majeſties Honour, and for the future ſecurity of the ſaid Kingdom, and your Majeſties Proteſtant Subjects there, exemplary puniſhment may be inflicted upon ſuch of the principal Offenders, as have had their hands in the ſhedding of innocent Blood, or had to do with the firſt plot or conſpiracy, or ſince that time have done any notorious Murthers.

12. That your Majeſties Towns, Forts, and places of Strength, deſtroyed by the ſaid Confederates ſince the ſaid Rebellion, may be by them at their Charge re-edified, and delivered up into your Majeſties hands, to be duly put into the Government, under your Majeſty and your Laws, of good Proteſtants; and that all Strengths, and Fortifications, made and ſet up by the ſaid Confederates ſince the ſaid Rebellion, may be ſlighted and thrown down, or elſe delivered up, and diſpoſed of for Proteſtant Government, as aforeſaid.

13. That your Majeſties Proteſtant Subjects may alſo be reſtored to the quiet and peaceable poſſeſſion of all their Caſtles, Houſes, Mannors, Lands, Tenements, Hereditaments, and Leaſes, as they had the ſame before, and at the time of the breaking forth of this Rebellion; and from whence, without due proceſs and judgment in Law, they have ſince then been put out and kept.

14. That your Majeſties ſaid Proteſtant Subjects may alſo be reſtored to, or ſatisfied for all their Moneys, Plate, Jewels, Houſhold-ſtuff, Goods or Chattels whatſoever, which during the Rebellion have been delivered to any perſon or perſons, of the Confederates in Truſt, to be kept and preſerved, which are yet detained from them without any colour of Law or Juſtice.

15. That the Eſtabliſhment and Maintenance of a compleat Proteſtant Army, and ſufficient Proteſtant Soldiers and Forces, for the time to come in *Ireland*, be ſpeedily taken into your Majeſties Prudent, Juſt, and Gracious Conſideration, and ſuch a courſe laid down and continued therein, according to the Rules of good Government, that your Majeſties Rights and Laws, and the Proteſtant Religion, and Peace of that Kingdom, be no more endangered by the like Rebellion in time to come.

16 That whereas it appeareth in print, that the ſaid Confederates, amongſt other things, aim at the repeal of *Poyning*'s Act, thereby to open an eaſie and ready way, for the paſſing of Acts of Parliament in *Ireland*, without having them firſt well conſidered of in *England*, which may produce many dangerous Conſequences, both to that Kingdom and your Majeſties other Dominions, your Majeſty would be pleaſed to reſent, and reject all propoſitions tending to introduce ſo great a Diminution of your Royal and Neceſſary power, for the Conſervation of your Royal Eſtate, and protection of your good Proteſtant Subjects, both there and elſewhere.

17. That your Majeſty out of your abundant Grace and Favour to your Proteſtant Subjects of *Ireland*, will be pleaſed to conſider effectually of aſſuring them, that if your Majeſty ſhould think fit, for the furtherance of your Service, to grant to the ſaid Confederates an Act of Oblivion, that your Majeſty will not allow of, diſcharge, or releaſe any Actions, Suits, Debts, or Intereſts, whereby your Majeſties Proteſtant Subjects — of *Ireland* may be barred or deprived, or any of their party, in reſpect of any Wrongs done unto them, or unto any of their Anceſtors, or Predeceſſors, in and concerning their Lands, Goods, or Eſtates, ſince the contriving or breaking forth of the ſaid Rebellion.

18. That ſome fit courſe may be conſidered of to prevent the filling or overlaying the Commons Houſe of Parliament, in *Ireland*, with Popiſh Recuſants, for that unleſs ſome courſe ſhall by due means be ſettled, the Popiſh Faction may at ſome time or other get ſuch an over-ruling power in that Houſe, as may endanger both your Majeſties Rights and Royal Prerogatives, and the Proteſtants of that Kingdom; and that proviſion may be made, that none ſhall Vote, or ſit in any Parliament there, but ſuch as ſhall firſt take the Oaths of Supremacy and Allegiance.

19. That the proofs and manifeſtation of the truth of the ſeveral matters con-

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tained in the Petition of your Majeſties Proteſtant Subjects of *Ireland*, and the Collections made to diſpro[illegible] the ſcandalous aſperſions caſt on your Majeſties gracious Government, and on you[illegible] good and Loyal Proteſtant Subjects, by the Confederates, may be duly Examined and Diſcuſſed. 20 *Caroli.*

The 8th. of *May*, the Proteſtant Agents waited on Mr. Secretary *Nicholas*, deſiring to know what reſolution was taken upon their ſecond propoſitions, who told them that the Lords ſate not that day according to their appointment.

The Proteſtant Agents before His Majeſty in Council, May 9.

The 9th. of *May*, the Proteſtant Agents were commanded to wait at the Council-Board, which they did, and His Majeſty being preſent, told them, *That they were ſent over by his Proteſtant Subjects to move him in their behalf, and deſired to know in what condition the Proteſtants were to defend themſelves in caſe a Peace ſhould not be concluded.* To which was anſwered by the Proteſtant Agents, *That they humbly conceived they were imployed, firſt, to make proof of the effect of the Proteſtants Petition, and diſprove the ſcandalous aſperſions which the Rebels had caſt on His Majeſties Government, and the Proteſtants of* Ireland. The King ſaid, *That needed not*, for *to what purpoſe is it to prove the Sun ſhines this day, when we all ſee it?* The Agents ſaid they found not His Majeſty ſatisfied, but that the Five ſeveral Counties called the *Engliſh Pale*, were *forced into Rebellion* by his Governours. To which His Majeſty anſwered, that *that was but an aſſertion of the Iriſh.* Then His Majeſty again deſired to know what condition the Proteſtants were in to defend themſelves in caſe he ſhould not make a Peace with the *Iriſh*. The ſaid Agents deſired ſome time to make an anſwer to that Queſtion; but His Majeſty anſwered that he thought they had come prepared to declare the *whole condition of that Kingdom*; and further asked whether they would have Peace or no? To which it was anſwered by the Agents, That peace was the thing they had been bred up in, and that they were not againſt peace, ſo that it might ſtand with His Majeſties honour, and ſafety of His Proteſtant Subjects in their Religion, Lives, Liberties, and Fortunes. Then the Lord *Digby* told His Majeſty *That they deſired Peace.* The Duke of *Richmond* and the Earl of *Linſy* replyed, *it is true*, the Agents have expreſſed that they are *not againſt Peace*, ſo that it may be with *Honour* to His Majeſty, and *Safety* to His Majeſties Proteſtant Subjects of *Ireland*. Then the King ſaid, he had rather they ſhould hazard a War, then they ſhould ſuffer by a *Peace of his making*; and that he would *take a care that the Proteſtants of* Ireland *ſhould be preſerved.* His Majeſty alſo told the ſaid Agents that they ſhould have a Copy of the propoſitions of the *Iriſh*, and wiſhed them to make an *Anſwer* to them. Then the ſaid Agents being commanded to withdraw, when they were called in again, His Majeſty told them, That for the clearing of the matter, he muſt tell them two things; the firſt was, That he could *not relieve his Proteſtant Subjects in* Ireland, *either with Men, Money, Arms, Ammunition, or Victuals.* And ſecondly, *That he could not allow them to joyn with the new* Scots, *or any others that had taken the Covenant with them.* The ſame day, about One of the Clock, the Proteſtant Agents received a Copy of the Rebels propoſitions from Secretary *Nicholas*, who wiſht them from His Majeſty, to put in their Anſwers thereunto *within two days*; on which the Agents deſired two days longer, which was granted.

And on the 13th. of *May*, 1644. at the Council-Board, the King, Prince, and Duke of *York*, with many of the Lords there ſitting, the proteſtant Agents preſented unto His Majeſty their Anſwers to the Rebels propoſitions, both which follow *in hæc verba.*

The Iriſh Rebels propoſitions to His Majeſty, and the Proteſtants Agents Anſwer thereunto, preſented May 13.

The Propoſitions of the Roman Catholicks *of* Ireland, *humbly preſented to His Sacred Majeſty, in purſuance of their Remonſtrance of Grievances, and to be annexed to the ſaid Remonſtrance; together with the humble Anſwer of the Agents for the Proteſtants of* Ireland *to the ſaid Propoſitions, made in purſuance of your Majeſties Directions of the 9th. of* May, 1644. *requiring the ſame.*

1 *Prop.* THAT all Acts made againſt the profeſſors of the *Roman Catholick* Faith, whereby any Reſtraint, Penalty, Mulct, or Incapacity, may be laid upon *Roman Catholicks* within the Kingdom of *Ireland* may be repealed, and the ſaid Catholicks to be allowed the freedom of the *Roman Catholick* Religion.

An. 1644.

Anſw. To the firſt, We ſay that this hath been the [illegible] almoſt all thoſe who have entered into Rebellion, in the Kingdom [illegible], at any time ſince the Reformation of Religion there, which was ſettled by Acts of Parliament above Eighty years ſince, and hath wrought good effects ever ſince for the peace and welfare both of the Church and Kingdom there, and of the Church and Kingdom of *England*, and Proteſtant party throughout all [illegible], and hath been found wholſome and neceſſary by long Experience; and the repealing of thoſe Laws will ſet up Popery again, both in Juriſdiction, profeſſion and practice, as it was before the Reformation, and introduce, amongſt other inconveniences, the Supremacy of *Rome*, and take away, or much endanger, your Majeſties Supream and Juſt Authority in Cauſes Eccleſiaſtical, a diminution of honour and power not to be endured, the ſaid Acts extending as well to ſeditious Sectaries as to popiſh Recuſants, ſo as by the repeal thereof, every man may ſeem to be left to chuſe his own Religion in that Kingdom, which muſt needs beget great confuſion, and the abounding of the *Roman* Clergy there hath been one of the greateſt occaſions of this late Rebellion. Beſides, it is humbly deſired that your Majeſty will be pleaſed to take into your gracious conſideration, a Clauſe in the Act of Parliament paſſed by your Majeſties Royal Aſſent in *England*, in the ſeventeenth year of your Reign, touching puniſhment to be inflicted upon thoſe that ſhall introduce the Authority of the See of *Rome* in any caſe whatſoever.

2 *Prop.* That your Majeſty will be pleaſed to call a free Parliament in the ſaid Kingdom, to be held and continued, as in the Remonſtrance is expreſſed; and the Statutes of the tenth year of King *Henry* VII. called *Poyning*'s Act, and all Acts explaining, or enlarging the ſame, be ſuſpended during that Parliament, for the ſpeedy ſettlement of the preſent Affairs, and the repeal thereof to be there further conſidered of.

Anſw. Whereas they deſire to have a free Parliament called, which reflecteth by ſecret and cunning Implication upon your Majeſties preſent Parliament in *Ireland*, as if it were not a free Parliament; we humbly beſeech your Majeſty to reſent how dangerous it is to make ſuch inſinuation, or intimation to your people of that Kingdom, touching that Parliament, wherein ſeveral Acts of Parliament have already paſt, the validity whereof may be endangered, if the Parliament ſhould not be approved as a free Parliament; and it is a point of ſo high nature, as we humbly conceive it not properly to be diſcuſſed but in Parliament; and your Majeſties ſaid Parliament now ſitting is a free Parliament in Law, holden before a perſon of Honour and Fortune in that Kingdom, compoſed of good, loyal, and well affected Subjects to your Majeſty, who doubtleſs will be ready to comply in all things that ſhall appear to be Pious and Juſt, for the good of the true Proteſtant Religion, and for your Majeſties ſervice, and the good of that Church and State. That if this preſent Parliament ſhould be diſſolved, it would be a great Terror and Diſcontent to all your Majeſties Proteſtant Subjects of that Kingdom, and may alſo be a means to force many of your Majeſties Subjects to quit that Kingdom, or peradventure to adhere to ſome other party there in oppoſition to the *Roman Iriſh* Confederates, rather than be liable to their power; which effects may prove of moſt dangerous conſequence. And we humbly offer unto your Majeſties conſideration, your own gracious expreſſion mentioned in the grounds and motives inducing your Majeſty to agree to a Ceſſation of Arms for one whole year, which the *Roman* Catholicks of *Ireland* printed at *Oxford*, 19. *Octob.* 1643. (*viz.*) And *let all our good Subjects be aſſured, That as we have for theſe Reaſons, and with this Caution and Deliberation, conſented to this preparation to Peace, and to that purpoſe do continue our Parliament there, ſo we ſhall proceed in the accompliſhing thereof with that care and circumſpection, that we ſhall not admit even peace it ſelf, otherwiſe then as it may be agreeable to Conſcience, Honour, and Juſtice.*

We alſo humbly deſire that ſuch Laws as your Majeſty ſhall think fit to paſs, may be tranſmitted according to *Poynings* Law, and other Laws of explanation thereof, or of addition thereunto now in force with great contentment and ſecurity, to your Majeſties Proteſtant Subjects: But if the preſent Parliament be diſſolved, we humbly repreſent unto your Majeſty, that ſo many of your ableſt and beſt Proteſtant Subjects have been murthered or baniſhed by this Rebellion, that few or no Proteſtant Free-holders will be found in the Counties, Cities, and Burroughs to elect and chuſe Knights, Citizens, and Burgeſſes, which will be moſt dangerous

20 *Caroli.*

to our Majeſties Rights and Prerogatives, and good Subjects, and may beget great Diſputes in after-times. For the repealing of *Poynings* Act, notwithſtanding their feigned expreſſions of their Loyalty, yet it plainly appears they do not repoſe ſo much truſt in your Majeſties Juſtice as it becometh loyal Subjects to do (and ſuch they pretend themſelves to be) for that they ſeek thereby to prevent your Majeſty and your Council of *England* and *Ireland* of ſo full a view and time of mature conſideration to be had of Acts of Parliament of *Ireland* before they paſs, as in prudence is requiſite, and hath been found neceſſary by the experience of well near two hundred years; and if their intentions were ſo clear as they profeſs, we know not why they ſhould avoid the ſtricteſt view and trial of your Majeſty and Council of both Kingdoms, this their deſire tending to introduce a great diminution of your Royal and neceſſary power for the conſervation of your Regal ſtate and protection of your good Proteſtant Subjects elſe and elſewhere. And what ſpecial uſe they aim at in ſeeking ſuch repeal, your Proteſtant Subjects, as they know not the particulars, ſo can they conjecture of none, unleſs the ſaid Confederates have ſome deſign by way of ſurprize to obtrude upon your Majeſty in their new deſired Parliament ſome Acts in Juſtification of their ill done Actions and for condemning ſuch of your Proteſtant Subjects as have in their ſeveral Degrees moſt faithfully ſerved your Majeſty there: which we the rather believe ſeeing they have vowed by their Oath of aſſociation, and the Bull lately publiſhed in *Ireland* ſince the Ceſſation, the deſtruction of the Proteſtants there, when they have their Swords in their hands to put the ſame in execution.

The third Propoſition. That all Acts and Ordinances made and paſſed in the new pretended Parliament in that Kingdom ſince the ſeventh Day of *Auguſt* 1641. be clearly annulled and declared void, and taken off the File.

Anſw. We humbly deſire that they may particularize thoſe Ordinances which may prejudice your Majeſties ſervice, for we are well aſſured that the Parliament now ſitting in *Ireland*, on ſignification of your Majeſties pleaſure therein, will either give your Majeſty full ſatisfaction, or repeal any unjuſt Orders or Ordinances whatſoever which may be prejudicial to your Majeſty. And there may be ſome Orders or Ordinances which may concern particular perſons in their Lives, Liberties, or Fortunes, that may ſuffer unheard by the admitting of ſo general a propoſition, which is meerly propoſed, as we humbly conceive, to put a ſcorn on your Majeſties Parliament now ſitting there, and to diſcourage your Majeſties Proteſtant Subjects who have faithfully ſerved your Majeſty in that Parliament.

The fourth Propoſition. That all Indictments, Attainders, Outlaries in the *Kings-Bench*, or elſewhere ſince the ſaid ſeventh day of *Auguſt*, 1641. and all Letters, Patents, Grants, Leaſes, Cuſtod. Bonds, Recognizances, and all other Records, Act, or Acts depending thereupon, or in prejudice of the ſaid Catholicks, or any of them be taken off the File, annulled and declared void firſt by your Majeſties proclamation, and after by Act to be paſſed in a free Parliament.

Anſwer. This we conceive to be a bold propoſition not warranted, as we alſo conceive, by any example, and tending to introduce an ill precedent in after times, for it was never ſeen that Records were taken off the File, but where there was ſome corruption, or fraud, or ſome illegal or unjuſt carriage uſed in and concerning the procuring or making up of ſuch Records, and the ſame firſt well proved upon due examination. And it may not onely conceal, but in ſome ſort ſeem to juſtifie their abominable Treaſons, Murthers, Cruelties, Maſſacres, and Plunders, acted againſt your Majeſties Perſon, Crown and Dignity, upon the perſons of your Majeſties moſt Loyal Proteſtant Subjects in that Kingdom, and encourage the papiſts there to do the like again; beſides the diſcouragement it may get in your Majeſties Officers and Subjects to do their Duties in the like Inſurrections which may happen hereafter, which alſo may prove very prejudicial to your Majeſties Rights and Revenues, if the Records to ſupport the forfeitures wherein many of them are or may be grounded ſhall be taken off the File and cancelled.

The Fifth Propoſition. That inaſmuch as under colour of ſuch Outlaries and Attainders, Debts due unto the ſaid Catholicks have been granted, levyed, and diſpoſed of; and of the other ſide, that Debts due from the ſaid Catholicks, to thoſe of the adverſe Party have been levyed and diſpoſed to publick uſes: That therefore all Debts be by Act of Parliament mutually releaſed, or all to ſtand *in Statu Quo*, notwithſtanding any grant or diſpoſition.

Anſw.

Anſw. We humbly conceive, that in times of [illegible] ſettled Government, when the courſe of Law and Juſtice is [illegible] obſerved, that the Debts due to the Crown, and actually levied [illegible] your Majeſties uſe ought not to be reſtored though the Records of the forfeitures ſhould be legally reverſed, which is far from the preſent caſe; and this propoſition tendeth to Croſs that juſt right of your Majeſty; and to make the [illegible] by the Confederate popiſh Rebels of Debts due to Proteſtants, and by the ſaid Rebels by fraud and force levied and diſpoſed in maintenance of their Rebellion, which cunningly they call by the name of publick uſes, to be in equal Degree to the Debts owing by the Rebels, and by them all forfeited, and many of them by Law duely levied, which is a moſt unequal and unjuſt thing; and the ſaid propoſition cannot nor doth make offer to have the popiſh Confederates cut off from the Debts due to them, which they have juſtly forfeited, but onely for a colour of Conſideration to have the Proteſtants loſe ſuch Debts juſtly due to them, as have been unjuſtly taken from them who have done no Act at all to forfeit them.

The ſixth Propoſition. That the late Offices taken or found upon feigned or old Titles ſince the Year 1634. to entitle your Majeſty to ſeveral Countries in *Connaught*, *Thomond*, and in the Counties of *Tipperarie*, *Limrick*, *Kilkenny*, and *Wickloe*, be vacated, and taken off the File, and the Poſſeſſors ſettled and ſecured in their ancient Eſtates by Act of Parliament, and that the like Act of limitation of your Majeſties Titles for the Security of the Eſtates of your Majeſties Subjects in that Kingdom be paſſed in the ſaid Parliament, as was enacted in the 21 year of His late Majeſties Reign in this Kingdom.

Anſw. We know not of any Offices found on feigned Titles, nor what the Confederates may demand, in reſpect of any Graces promiſed by your Majeſty which we intend not, nor have any occaſion to diſpute, but we humbly conceive that all thoſe who have committed Treaſon in the late Rebellion, ſubſequent to your Majeſties promiſe of thoſe Graces, have thereby forfeited the benefit thereof, together with the Lands to which the ſaid Graces might elſe have related, and ſo their whole Eſtates are now juſtly fallen to your Majeſty by their Rebellion, which we conceive is of great importance for your Majeſties Service, to be taken into conſideration: As firſt, with regard to the Statutes made in the preſent Parliament of *England*, Secondly, by the neceſſary increaſe of your Revenue, decayed by the preſent Rebellion. Thirdly, the aboliſhing of the evil Cuſtomes of the *Iriſh*, and preſervation of Religion, Laws, and Government there, Fourthly, the ſatisfaction of your Proteſtant Subjects loſſes in ſome meaſure. Fifthly, the Arrears of your Majeſties Army, and other debts contracted for that War, and for preſervation of that Kingdom to your Majeſty. Sixthly, The bringing in of more *Britiſh* upon the plantations. Seventhly, The building of ſome Walled Towns in remote and deſolate places, for the ſecurity of that Kingdom and your good Subjects there Eighthly, the taking of the Natives from their former Dependency on their Chieftains, who uſurped an abſolute power over them, to the diminution of your Regal power, and to the oppreſſion of the Inferiours.

To the ſeventh Propoſition. That all marks of incapacity impoſed upon the Natives of that Kingdom, to purchaſe or acquire Lands, Leaſes, Offices, or Hereditaments to be taken away by Act of Parliament, and the ſame to extend to the ſecuring of Purchaſes, Leaſes, or Grants already made; and that for the Education of Youth, an Act be paſſed in the next Parliament, for the erecting of one or more Inns of Court, Univerſities, Free and common Schools.

Anſw. This we conceive concerneth ſome of the late plantations, and no other part of that Kingdom, and that the reſtriction herein mentioned is found to be of great uſe, eſpecially for the indifferency of Trials, Strength of the Government, and for Trade and Traffick; and we humbly conceive, that if other plantations ſhall not proceed for the ſettling and ſecuring of that Kingdom, and that no reſtraint be made of papiſts buying or purchaſing of the Proteſtants out of their former Plantations, where they were prudently ſettled, though now caſt out of their Eſtates by the late Rebellion, and unable to plant the ſame again for want of means, and therefore probably, upon eaſie Terms, will part with their Eſtates to the Confederates, that thoſe Plantations will be deſtroyed, to the great prejudice of your Majeſties Service, and endangering of the ſafety of that Kingdom.

Touching bearing of Offices, We humbly conceive that their Nonconformity to the Laws and Statutes of that Kingdom, is the only mark of incapacity impoſed

fed upon them; and we humbly conceive, that they ought not to expect to be more capable there, then the *Engliſh* Natives are here in *England* in like caſe. For Schools in *Ireland*, there are diverſe ſettled in all parts of that Kingdom already, by the Laws and Statutes of that Realm; and if any perſon well affected, ſhall erect and endow any more ſchools there, at their own Charges, ſo that the Schoolmaſter and Scholars may be governed according to the Laws, Cuſtoms, and Orders of *England*, and the beſt of Free-Schools here, we cannot apprehend any juſt Exceptions thereunto. But touching Univerſities and Inns of Court, we humbly conceive that this part of the propoſition favoureth of ſome deſire to become Independant upon *England*, or to make a ſeparation in the Religion, and Laws of the Kingdom, which can never be truly happy, but in the good Unity of both, in the true Proteſtant Religion, and in the Laws of *England*. For (as for matter of charge) ſuch of the Natives as are deſirous to breed their Sons for Learning in Divinity, can be well contented to ſend them to the Univerſity of *Lovain*, *Doway*, and other popiſh places in Foreign Kingdoms, and for Civil Law or Phyſick to *Padua*, or other places, which draws a great Treaſure yearly out of your Majeſties Dominions, but will ſend few or none of them to *Oxford* or *Cambridge*, where they might as cheaply be bred up, and become as Learned. Which courſe, we conceive, is holden out of their pride and diſaffection towards this Kingdom, and the true Religion here profeſſed. And for the Laws of the Land, which are for the Common Law agreeable to *England*, and ſo for the greateſt part of the Statutes, the Inns of Court in *England* are ſufficient, and the Proteſtants come thither without grudging; and it is a means to civilize them after the *Engliſh* Cuſtoms, to make them familiar and in love with the Language and Nation; and to preſerve the Law in the purity, when the profeſſors of it ſhall draw from one Original Fountain, and ſee the manner of the practice of it in the ſame great Channels, which in His Majeſties Courts of Juſtice of *England* do flow moſt clearly: whereas by ſeparation of the Kingdoms in the places of their principal Inſtruction, when their foundations in Learning are to be laid, a degenerate Corruption in Religion and Juſtice may happily be introduced and ſpread with much more difficulty to be corrected and reſtrained afterwards, by any diſcipline to be uſed in *Ireland*, or puniſhments there to be inflicted, for departing from the true grounds of things which are beſt preſerved in Unity, when they grow out of the ſame root, then if ſuch Univerſities and Inns of Court as are propoſed ſhould be granted: All which, we humbly ſubmit to your Majeſties moſt pious and prudent Conſideration and Judgment.

The Eighth Propoſition. That the Offices and places of Command, Honour, Profit, and Truſt, within that Kingdom, be conferred upon *Roman* Catholicks, Natives in equality and indifferency with your Majeſties other Subjects.

Anſw. We humbly conceive that the *Roman* Catholicks, Natives in *Ireland*, may have the like Offices and places, as the *Roman* Catholicks, Natives of *England*, here have, and not otherwiſe: Howbeit, we conceive that in the generality, they have not deſerved ſo much by their late Rebellion, therefore we ſee not why they ſhould be endowed with any new, or further Capacities, or Priviledges, then they have by the Laws and Statutes, now in force, in that Kingdom.

The Ninth Propoſition. That the inſupportable oppreſſion of your Subjects, by reaſon of the Court of Wards, and reſpite of Homage, be taken away, and a certain Revenue in lieu thereof ſettled upon your Majeſty, without diminution of your Majeſties profits.

Anſw. We know of no Oppreſſion by reaſon of the Court of Wards, and we humbly conceive, that the Court of Wards is of great uſe, for the raiſing of Your Majeſties Revenues, the preſervation of Your Majeſties Tenures, and chiefly the Education of the Gentry, in the Proteſtant Religion, and in Civility of Learning, and good Manners, who otherwiſe would be brought up in Ignorance and Barbariſm, their Eſtates be ruined by their Kindred and Friends, and continue their Dependency on the Chief Lords, to the great prejudice of your Majeſties Service, and Proteſtant Subjects; and there being no colour of exception to your Majeſties Juſt Title to Wardſhips, we know not why the taking away of your Court concerning the ſame ſhould be ſo preſſed, unleſs it be to prevent the Education of the Lords and Gentry, that fall Wards, in the Proteſtant Religion: For that part of this

propoſition

20 Caroli.

propoſition which concerneth reſpite of Homage, We humbly conceive it reaſonable that ſome way may be ſettled for that, if it ſtand with your Majeſties good pleaſure, without prejudice to your Majeſty, or your Crown.

To the Tenth Propoſition. That no Lord not Eſtated in this Kingdom, or Eſtated and not Reſident, ſhall have Vote in the ſaid Parliament by Proxy or otherwiſe, and none admitted to the Houſe of Commons, but ſuch as ſhall be Eſtated, and Reſident within the Kingdom.

Anſw. We humbly conceive, that in the year 1641. by the Graces which your Majeſty then granted to your Subjects of *Ireland*, the matter of this propoſition was in a fair way regulated by your utter aboliſhing of blank proxies, and limiting Lords preſent, and attending in the Parliament of *Ireland*, that no one of them ſhould be capable of more proxies than two, and preſcribing the Peers of that Kingdom, not there Reſident, to purchaſe fitting proportions of Land in *Ireland*, within five years from the laſt of *July*, 1641. or elſe to loſe their Votes, till they ſhould make ſuch purchaſes; which purchaſes, by reaſon of the troubles happening in that Kingdom, and which have continued for two years and a half, have not yet, peradventure, been made, and therefore your Majeſty may now be pleaſed, and may take juſt occaſion to enlarge the time for five years, from the time when that Kingdom may again be ſettled in a happy and firm peace. And as to the Members of the Houſe of Commons the ſame is moſt fit, as we humbly conceive, to be regulated by the Laws and Statutes of that Kingdom.

The Eleventh Propoſition. That an Act be paſſed in the next Parliament Declaratory, That the Parliament of *Ireland* is a free Parliament of it ſelf, independent of, and not ſubordinate to the Parliament of *England*, and that the ſubjects of *Ireland* are immediately ſubject to your Majeſty, as in right of your Crown, and that the Members of the ſaid Parliament of *Ireland*, and all other the Subjects of *Ireland*, are independent, and no way to be ordered, or concluded by the Parliament of *England*, and are only to be ordered and governed within that Kingdom, by your Majeſty, and ſuch Governours as are, or ſhall be there appointed, and by the Parliament of that Kingdom, according to the Laws of the Land.

Anſw. This propoſition concerns your Majeſties High Courts of Parliament, both of *England* and *Ireland*, as is beyond our abilities (who are not acquainted with the Records and Preſidents of this Nature) to give any anſwer unto, and therefore we humbly deſire Your Majeſties pardon for not anſwering unto the ſame.

The Twelfth Propoſition. That the aſſumed power of Juriſdiction in the Council-Board, of determining of all manner of Cauſes, be limited to matters of State, and all Patents, Eſtates, and Grants, illegally and extrajudicially avoided there, or elſewhere, be left in State as before, and the parties grieved their Heirs or Aſſigns, till legal Eviction.

Anſw. The Council-Table hath always exerciſed Juriſdiction in ſome Caſes, ever ſince the *Engliſh* Government was ſettled in that Kingdom, and is of ſo long continuance in ſome Caſes of ſome Natures, as the beginning thereof appeareth not, which ſeemeth to be by preſcription, and hath always been armed with power to examine upon Oath, as a Court of Juſtice, or in Nature of a Court of Juſtice, in Caſes of ſome Natures, and may be neceſſary ſtill in many Caſes, eſpecially for the preſent, till your Majeſties Laws may more generally be received in that Kingdom. And we conceive that Board is ſo well limited, by printed Inſtructions, in your Majeſties Royal Fathers time, and by your Majeſties Graces in the 17th. year of your Reign, that it needed, for the preſent, little or no further regulating at all; howbeit, they humbly refer it to your Majeſties great Wiſdom and Goodneſs, to do therein as to Law and Juſtice ſhall appertain.

The Thirteenth Propoſition. That the Statute of the Eleventh, Twelfth and Thirteenth, year of Queen *Elizabeth*, concerning Staple Commodities be repealed, reſerving to His Majeſty lawful and juſt Poundage, and a Book of Rates to be ſettled by an indifferent Committee of both Houſes, for all Commodities.

20 Caroli.

The matter of this Propoſition is ſettled in a fitting and good way by your Majeſty already, as we conceive, amongſt the Graces granted by your Majeſty to your people of *Ireland*, in the 17th year of your Majeſties Reign; to which we humbly refer our ſelves.

The Fourteenth Propoſition. That inaſmuch as the long continuance of the Chief Governour or Governours of that Kingdom, in that place of ſo great eminency and power hath been a principal occaſion that much Tyranny and Oppreſſion hath been exerciſed upon the Subjects of that Kingdom; That your Majeſty will be pleaſed to continue ſuch Governours hereafter but for three years; And that none once imployed therein, be appointed for the ſame again, until the expiration of ſix years next, after the end of the ſaid three years, and that an act paſs to diſenable ſuch Governour or Governours during their Government directly, or indirectly in uſe, truſt, or otherwiſe, to make any manner of purchaſe or Acquiſition of any Mannors, Lands, Tenements, or Hereditaments within that Kingdom, other then from your Majeſty, your Heirs or Succeſſors.

Anſ. We humbly conceive that this Propoſition tendeth to lay a falſe and ſcandalous aſperſion upon your Majeſties gracious Government over *Ireland*, and that it trencheth very high upon your wiſdom, Juſtice and Power, and under colour of ſuppoſed Corruptions pretended to be in the greateſt Officer that commandeth under your Majeſty there, if he continue ſo long in His Government as may well enable him to find out and diſcover the true ſtate of that Kingdom, and the dangerous Diſpoſitions and Deſigns of the popiſh party there, to prevent him therein, and to turn him out from doing ſervice before or aſſoon as he is truly informed and experienced how to do the ſame, and then to hold him excluded ſo long that in all likelihood he ſhall not live to come to that place the ſecond time, which we humbly conceive will be a great diſcouragement to any Perſon of Honour and Fortune to ſerve your Majeſty in that high Truſt: And for their purchaſing Lands in that Kingdom, your Majeſty may be pleaſed to leave them to the Laws, and puniſh them ſeverely if they commit any Offence, or exerciſe any Oppreſſions, under colour of purchaſing of any Lands or Eſtates whatſoever.

The Fifteenth Propoſition. That an Act may be paſſed in the next Parliament for the raiſing and ſettling of the Trained Bands within the ſeveral Counties of that Kingdom, as well to prevent Forreign Invaſions, as to render them the more ſerviceable and ready for your Majeſties occaſions as cauſe ſhall require.

Anſ. The having Trained Bands in *Ireland*, for the preſent, under favour cannot be for your Majeſties Service, or the ſafety of that Kingdom, for that the Proteſtants by the ſad effects of the late Rebellion are ſo much deſtroyed, that the ſaid Bands muſt conſiſt in effect altogether of the Confederate Catholicks, and to continue them in Arms ſtored with Ammunition, and made ready for Service by Muſtering and often Training will prove under colour of Advancing your Majeſties Service againſt Forreign Invaſion, a meet Guard and power of popiſh Forces, alwaies in a readineſs to protect the popiſh Confederates, and by Force and Arms (according to their late Oaths and proteſtations) to execute all their cruel Deſigns for extirpation of the Proteſtant Religion and *Engliſh* Government, both which they mortally hate, howſoever in cunning they diſſemble it, and to prevent the ſettling an Army of good Proteſtants, without which your Majeſties good Subjects cannot live ſecurely there.

The Sixteenth Propoſition. That an Act of Oblivion be paſſed by the next free Parliament to extend to all your Majeſties ſaid Catholick Subjects, and their adherents, for all manner of Offences Capital, Criminal, and Perſonal, and the ſaid Act to extend to all Goods and Chattels, Cuſtomes, Meaſure, Profits, Prizes. Arrears of Rents taken, received, or incurred ſince theſe Troubles

Anſw. We humbly pray that the Laws in force be taken into conſideration, and do humbly conceive that your Majeſty in Honour and Juſtice, may forbear to diſcharge or releaſe any Actions, Suits, Debts, or Intereſts, whereof your Majeſties Proteſtant Subjects, who have committed no Offence againſt your Majeſty or your Laws, ſhould be barred or deprived of any of their Legal Remedies or juſt De-

An. 1644.

mands, which by any of your Majeſties Laws and Statutes, they may have againſt the popiſh Confederates, who are the onely Delinquents, or any of their party for or in reſpect of any wrongs done unto them or any of their Anceſtors or Predeceſſors, in or concerning their Lands, Goods, or Eſtates, before the contriving or breaking forth of Rebellion, the ſaid Confederates having without provocation ſhed ſo much innocent Blood, and acted ſo many Cruelties, as cannot be paralleled in any ſtory; And we conceive it to be high preſumption [illegible] upon ſo weak grounds, to propound an Act of Oblivion in ſuch general Terms, ſome of the Confederates having been Contrivers or Actors of ſuch cruel Murthers, and other Acts of Inhumanity, as to cry to God and your Sacred Majeſty for juſtice, and they having of your Majeſties Revenues, Cuſtomes, Subſidies, and other Rights of your Crown in their Hands, or deſtroyed by them to the value of 200000 l. and more.

The Seventeenth Propoſition. Foraſmuch as your Majeſties ſaid Catholick Subjects have been taxed with many Inhumane cruelties which they never committed; Your Majeſty's ſaid Supplicants therefore for their Vindication, and to manifeſt to all the World, their deſire to have ſuch hainous Offences puniſhed, and the Offenders brought to Juſtice do deſire that in the next Parliament, all notorious Murthers, Breaches of Quarter, and Inhumane cruelties committed of either ſide, may be queſtioned in the ſaid Parliament, if your Majeſty ſo think fit, and ſuch as ſhall appear to be guilty, to be excepted out of the ſaid Act of Oblivion, and puniſhed according to their Deſerts.

Foraſmuch Dread Soveraign, as the ways of our Addreſs unto your Majeſty for apt Remedies unto our grievances were hitherto debarred us, but now at length through your benign Grace and Favour laid open. We do humbly preſent theſe in purſuance of the ſaid Remonſtrance, which granted, your ſaid Subjects are ready to contribute the Ten Thouſand Pounds, as in their Remonſtrance is ſpecified towards the ſuppreſſing of the unnatural Rebellion now in this Kingdom, and will further expoſe their Lives and Fortunes to ſerve your Majeſty as occaſion ſhall require.

Anſw. We conceive this Propoſition is made but for a flouriſh, and if the Confederates be ſo deſirous to try their innocency as they pretend, they need not ſtay for another Parliament in *Ireland*, but ſubmit to that which now is in being, which is an equal and juſt Parliament, as in ſome of our reaſons touching that point is expreſſed, and the offering to draw it to a new Parliament, is in effect to deſire that they may be their own Judges, for as that Kingdom is now embroiled and waſted, the chief Delinquents or Confederates will be ſo prevalent a Faction in the next Parliament, that they will be able and doubtleſs will clear all the popiſh party, how guilty ſoever, and condemn the Proteſtant how innocent ſoever.

Theſe Anſwers to the High and Unexpected Demands of the Confederate Rebels, we have framed in humble Obedience to your Majeſties Directions, but being very ſenſible as of the weight and great importance of the buſineſs, ſo alſo of our own weakneſs and want of time, and well knowing that ſome of your Majeſties privy Counſellours, Judges, and Officers of that Kingdom, are now in Town, ſent for over, and here attending by your Majeſties Command, who by their long Obſervation and Experience of the Affairs and State of *Ireland*, are better able to give your Majeſty more full and ſatisfactory Anſwers touching the premiſes then we can, and conceiving that the Collections in anſwer to the ſaid Confederates Remonſtrance, which we humbly preſented to your Majeſty the 29th of the laſt Month of *April*, may in many things give your Majeſty more light, then theſe our anſwers do or can: We humbly beſeech your Majeſty that the ſaid privy Counſellours, Judges, and Officers, as occaſion ſhall require, may be called upon and heard, to give your Majeſty the better ſatisfaction in theſe particulars, and that to the ſame purpoſe the Booke of the ſaid Collection may be peruſed and conſidered of as your Majeſty ſhall find moſt requiſite.

After reading of which propoſitions and anſwers thereunto, the King asked the Proteſtant Agents, whether they had anſwered unto the Rebels propoſitions as they were to be granted by him, in Law and Juſtice, and fit for the ſecurity of the Proteſtants of *Ireland*, or prudentially as the times were, who humbly made anſwer to His Majeſty, That they looked upon the Rebels propoſitions, as they appeared

peared to them, deſtructive to His Majeſty, his Laws, Government, and Proteſtant Subjects of *Ireland*. Then the E. of *Briſtol* ſaid, That if they asked what by Law and Juſtice was due from the Rebels, their Anſwers were full. But now the King expected from the ſaid Agents, what prudentially was fit for his Majeſty to do, ſeeing the Proteſtants were not in a condition to defend themſelves, and that the King would not admit the Proteſtants to joyn with the new *Scots*, or any other that had taken the Covenant.

The Lord *Digby* upon motion of the Proteſtant Agents for further time to anſwer, ſaid, It was good to ſet down thoſe Queſtions in Writing, and to expect their anſwers to them.

Then the King asked them, What would become of the Proteſtants in *Ireland*, if the Rebels Agents ſhould break off their Treaty, which was to be feared they would do, if they had not their propoſitions for the moſt part yielded unto.

The Proteſtant Agents anſwered His Majeſty, That they conceived that the Rebels Agents might be brought to better Terms, if they were held unto it, and that they were confidently aſſured before their coming out of *Ireland*, that the Lord *Muskery* refuſed to come into *England* with limited Inſtructions, but would be at liberty to do as he ſhould ſee Cauſe.

Then the Proteſtants Agents were commanded to withdraw, and were no more called upon.

Popiſh Agents return for Ireland.

About the middle of *May*, the *Roman* Catholick *Iriſh* Agents went away from *Oxford* towards *Ireland*, to whom, at their departure, His Majeſty gave very good Counſel and Admonition to this effect, (as I find it ſet down by the Author of the Hiſtory of the Execrable *Iriſh* Rebellion, *fol.* 143.) "That they ſhould not "forget, That the preſervation of their Nation, and of that Religion which they "profeſſed, and were ſo Zealous for in *Ireland*, did depend upon the preſervation "of his Juſt Rights and Authority in *England*. That they ſaw his Subjects of "*Scotland*, contrary to all Obligations, had Invaded *England*, and joyn'd with "thoſe Rebels againſt him, who without that Aſſiſtance would have been ſpeedily "reduced to their Obedience. And therefore if His Catholick Subjects of *Ireland* "made haſte, (upon ſuch Conditions as he might then grant without prejudice "to himſelf, and which ſhould be amply ſufficient for the ſecurity of their For-"tunes, Lives, and Exerciſe of their Religion) to aſſiſt him, whereby he might "be able, by Gods Bleſſing, to ſuppreſs that Rebellion, they might confidently "believe he would never forget, to whoſe merit he owed his Preſervation and Re-"ſtauration, and it would then be in his abſolute power to vouchſafe Graces to "them to compleat their Happineſs, and which (he gave them his Royal Word) "he would then diſpenſe in ſuch manner, as ſhould not leave them diſappointed "of any of their juſt and full Expectations. But if (by inſiſting on ſuch parti-"culars as he could not in Conſcience Conſent to, and their Conſciences obliged "them not to ask; or on ſuch, as though he could himſelf be content to yield to, "yet in that juncture of time would bring ſuch great dammage to him, that all "the Supplies they could give or ſend to him could not countervail, and might "be as beneficially granted to them hereafter, when he might better do it) they "ſhould delay their joining with him, and ſo look on, till the Rebels power pre-"vail'd againſt him in *England* and *Scotland*, and ſuppreſs'd his party in theſe "Kingdoms, it would then be too late for them to give him help, and they would "quickly find their ſtrength in *Ireland* but an Imaginary ſupport for his, or their "own Intereſt, and that they who with much difficulty had deſtroyed him, would "without any conſiderable Oppoſition ruine their Intereſt, and root out their Re-"ligion, with their Nation, from all the Dominions which ſhould be ſubject to "their Exorbitant Juriſdiction.

The Kings Admoniſhment to them.

May the 26th. the Proteſtant Agents ſeeing the *Iriſh* Agents were gone, waited on Mr. Secretary *Nicholas*, and deſired him to know His Majeſties pleaſure and commands, and whether they ſhould expect any further anſwer concerning their Agency; and the next day Mr. Secretary told them, That His Majeſty commanded him to know of the Committee for *Iriſh* Affairs, whether they had any thing more to ſay to the Proteſtant Agents; And the ſame day further acquainted them, That the Committee ſaw no reaſon to detain them longer, and that he would move his Majeſty for their diſpatch.

Ap. 1644.

The Proteſtant Agents take leave of His Majeſty, May 30.

Whereupon on the 30*th.* of *May*, the ſaid Mr. Secretary [illegible] the Proteſtant Agents to His Majeſty, where they had the Honour to kiſs his Hand. And His Majeſty told them, That he had written to the Marq. of *Ormond* concerning the Proteſtants of *Ireland*, and that he would uſe his beſt endeavours [illegible] here, if he were able, as he did for himſelf here; and ſo the Agents for the Proteſtants returned into *Ireland*.

A Letter from the Right Honourable the Lord *Inchiquin*, and other the Commanders in *Munſter*, to His Majeſty, *&c. July* 17. 1644.

May it pleaſe Your moſt Excellent Majeſty,

WE *Your Majeſties moſt Humble and Loyal Subjects, the Proteſtants of the Province of* Munſter, *do with all Humility acknowledge Your Majeſties ſpecial Care towards our preſervation, and we ſhould eſteem our ſelves guilty of too high an Ingratitude, if we ſhould not diſcharge our Duties to God and Your Sacred Majeſty, by acquainting you, that no Peace can be concluded with the* Iriſh *Rebels, which will not bring unto your Majeſty, and the* Engliſh *in general, a far greater prejudice, then the ſhew of a Peace here will bring us an Advantage; and ſince Your* Majeſty *hath ſhewed us ſo high a degree of your pious Care in all things that might take off from our Afflictions, as our Declaration doth manifeſt to the World, thoſe Actions ſhew ſo Piouſly in your* Majeſty *that you have intruſted us, and make us humbly beg your* Majeſty, *that you would not ſo much regard ſo inconſiderable a handful of people as we are, as to purchaſe but a ſeeming ſecurity, by leaving the Proteſtant Religion, in all likelihood to be Extirpated, and your* Majeſty *obnoxious to the Loſs of this your Kingdom. Indeed, it is too truly called a ſeeming ſecurity, as in our Declaration we humbly preſent unto your* Majeſty, *doth largely and plainly appear; as alſo, with how much reaſon we have taken up Arms to defend our Religion, Lives, and your* Majeſties *Intereſts; and we firmly hope, that our infinite Wrongs and Miſeries will be a ſufficient motive and riſe, for your* Majeſty *to ſend unto the Parliament for the procuring of a Peace in* England, *without which, we muſt be as ſpeedily, as unavoidably, Ruin'd, and the Proteſtant Religion quite rooted out of this Kingdom. We have likewiſe ſent our humble deſires, to the ſame purpoſe, unto the Parliament, with a ſtrong Belief, that both your* Majeſty *and they will ſo ſeriouſly conſider the Juſtneſs and Neceſſity of the* Iriſh *War, that it will wring the Sword out of both your Hands, and employ thoſe Armies (which are likely to be deſtructive to the Proteſtant Religion) for the ſuppreſſing of thoſe Bloody Enemies of the Goſpel: And truly, when we conſider how correſpondent this bleſſed motion is with the Goodneſs of your Majeſties own Inclination, we do not deſpair, but that God, which brings the greateſt things to paſs by the weakeſt means, may, through our great Neceſſities and humble Prayers, Reſtore* England *to that Juſt Peace, which it hath been ſo long deprived of; but if the Judgments of the Almighty are not all fallen upon that Kingdom, and that the Juſt Quarrel to this Nation, which would be far more Glorious to the* Engliſh *Armies, than the Wars there, is not a ſufficient power to produce an Agreement between your Majeſty and the Parliament, We do moſt humbly beſeech your Majeſty not to give Ear to any that ſhall ſtrive to Blemiſh the Integrity of our proceedings, ſince we take God to Witneſs, we aim at nothing but Gods Glory, your Majeſties Honour, and the ſafety of the* Engliſh *Nation. And that the World may ſee, that your* Majeſty *believes us to be what really we are, we humbly beg your* Majeſty, *as we have likewiſe done the Parliament, to ſend us what ſupplies of* Men, *Arms and Ammunition, your Sacred* Majeſty *thinks fit for a people, which value not their Lives and Fortunes, where your Majeſties Honour is concern'd, and that we may dye as perfect Martyrs in the opinion of men, as we are certain all thoſe that dye in this Cauſe will be in the Eye of God: That your Sacred Majeſty would be pleaſed to proclaim again the* Iriſh *to be Rebels, and not pardon thoſe who have Committed ſo many Barbarous Crimes, that they are as far above Deſcription, as they are ſhort of Honeſty; nay, more, they publickly profeſs they had your Majeſties Commiſſion for what they did. The true ſenſe of this Deviliſh aſperſion, caſt upon your Majeſty, with all thoſe other Reaſons we have ſet down in our Declaration, makes us reſolve to dye a thouſand Deaths, rather than to condeſcend to any Peace with theſe perfidious Rebels; and ſince Death is a Tribute we muſt all pay, who will apprehend*

20 Caroli.

apprehend the payment of it somewhat the easier, to purchase by it a Kingdom as full of Glory, as this is now of Misery to all honest men. Neither is this only the Resolution of all the most considerable men among us, but of all in general, for our Gracious God hath so inspired the Hearts of all the Commonalty, that they have Vowed never to desert the Cause, that is so visibly God Almighties; and we beseech the Almighty so to direct your Sacred Majesty, that our great miseries may, through your Majesties Pious furtherance, beget that Blessed Peace in England, *which is so Zealously prayed for by,*

Your Majesties most Humble, most Obedient, and

Cork, 17 July, 1644. *most Loyal Subjects,*

Inchiquin, Percy,
Broughil, Smith,
Tho. Searle, W. Brocket,
Fenton, AgnusMuschamp.

A Manifestation directed to the Lords and Commons, Assembled in Parliament at Westminster, *from the Lord* Inchiquin, *&c.* July 18.

May it please the Honourable Houses,

'IF the Miseries which we have suffered in the Province of *Munster* could be 'described, they would be as far short of what they are, as our Ability to 'Right our selves is far short of our Desires; and though our past Sufferings 'have been extream great, yet we are like to be much more oppress, unless the 'Honourable Houses of Parliament do take us into their protection, and send us 'some speedy Relief.

'The several Agents we employed, before we submitted to the Cessation, did 'often acquaint you with the heavy Burthen we groaned under, and when we saw 'our lamentable Condition did only produce your pity, but could not your Relief, 'which was diverted by the War in *England*; we esteemed it far more advantage 'ous for the Cause to submit to the Cessation, and by that means preserve our Gar'risons, then by a ruinous obstinacy to continue in a War, which we knew not 'how to maintain ten days. Neither can this Action be imputed to any desire of 'having a peace with our Bloody Enemies, for if we had had any such design, upon the 'first or second failing of our Supplies, we might have embraced that opportuni'ty, but we saw Gods Glory, and the Honour and Advantage of our Country 'too deeply engaged to condescend to any thing, that had the face of a peace, as 'long as possibly we were able to maintain a War.

'If we thought the Honourable Houses had any greater Interest than the pro'tecting of oppress Protestants, we might represent divers great advantages unto 'them, as more than a probability of the Adventurers gaining their purchased 'Right, which otherwise is utterly lost, and many other advantages, which we 'will not specifie, because we know your Justice to be so great, that nothing can 'add to your Pious Care, where the Protestant Religion is so deeply engaged.

'But if through your great Necessities we should fail of your relyed on Aid, 'the World shall see how much we value the Vindicating of Gods Glory, and 'the Honour of the *English* Nation above our Lives and Fortunes.

'Neither is the payment of this Duty the only Advantage we propound unto 'our selves by this Action, for we firmly hope, and humbly desire this Honoura'ble Assembly, that our unexpressible Wrongs and Miseries might be a Rise for you 'to send unto His Majesty for the concluding of a happy peace in *England*; with'out which we apprehend this War cannot be prosecuted as it ought to be. We 'have likewise sent our most humble desires unto His Majesty to the same effect, 'whom we hope God will direct in that way, which will so much conduce to the 'Establishment of the Protestant Religion, and the Happiness of the *English* 'Nation.

'We will not trouble you with an over tedious Letter, since this inclosed De'claration, which we humbly present unto you, will acquaint you with our Acti'ons and Intentions. We have likewise sent our humble Desires, which we make 'no doubt will be found as Just as our Designs, since both shall be for the settle-

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An. 1644

might ſtarve us out of thoſe places, that neither their fraud, or force could get from us; which that they might the better accompliſh, they murthered divers of the poor *Engliſh*, that preſuming upon the Article of free Commerce, went abroad to buy Victuals, which certainly would have cauſed them to have declined that courſe of ſeeking Food, if Hunger, threatening them with more certain death had not forced them thereunto. And whereas we truſted, that theſe notorious infidelities in them and infinite Sufferings in us, would have been ſo viſible to His Majeſty, that nothing could have induced him to make a peace with ſo perfidious a people, who through their fawning and inſinuating with His Majeſty and by the counſel of ſome who repreſent that there is no way left, for ſecuring the Remainder of the *Engliſh*, but by a peace; we find His Majeſty being deluded by the firſt, and believing the laſt to be conducing to the preſervation of His Majeſties Subjects, is concluding of a peace, which will again admit thoſe *Iriſh* Rebels to be Members of Parliament; ſo that that Court, which ſhould afford Relief for our Grievances will, by their overſwaying Votes, be our greateſt Grievance.

Moreover we are too truly Informed by divers of their own party (whoſe Names if we ſhould publiſh, would be as great Ingratitude as Folly; the firſt in betraying thoſe that obliged us, the laſt, in depriving our ſelves of all future Intelligence by them) that they have vowed never to ſubmit to an *Engliſh*, or Proteſtant Government, except they have liberty to exerciſe their Religion in Churches; that the Forces of the Kingdom may be Trained Bands of their Men; and that likewiſe thoſe of their own Religion may be admitted to places of Truſt in the Commonwealth, which they call Modeſt and Moderate Demands, though we hope they cannot ſeem ſo to any, but themſelves, and their Clergy, who, we find do not think them enough, being they may not have all the Church Livings: for we have certain Intelligence, that they have made a ſtrong Faction, as well among my Lord of *Caſtlehavens* Soldiers, as in all other parts of the Kingdom; ſo that they are five parts of ſix, who will fly out into a new Action, when they ſee a convenient time to execute their Deſign, which, as yet, they determine to forbear, until they ſee a peace concluded; ſuppoſing, that then the Lord-Lieutenant of *Ireland* will intermix *Iriſh* and *Engliſh* without diſtinction, to oppoſe the *Scots*, and that by that means there will be a ſufficient number of their party in our Garriſons to maſter them, which, when they find an Opportunity for, they will certainly ſeize into their own hands, upon Notice whereof, the Faction abroad will, with all Expedition, apprehend the *Engliſh* in all parts; and having accompliſhed this part of their Deſign, they will manifeſt, that they are weary of the King of *England*'s Government, and that they will Truſt none of His Proteſtant Subjects among them, for we are certainly Inform'd, that they will invite a Forreign Prince to take them into his Protection, unto whom they will deliver poſſeſſion of what he pleaſes, and will become his Subjects.

And leſt that Princes Treaſure ſhould be exhauſted by Wars in other places, the Clergy have, with the Popes Aſſiſtance, raiſed among thoſe of their own calling, and divers of the Gentry in *Italy* One Hundred Thouſand Pounds in Money, and a quantity of Arms and Ammunition, that are now ready to be ſent hither, and they have employed one Dr. *Dwyer* to go forthwith thither for it, as alſo to get his Holineſs to ſettle a courſe for the raiſing of more Money to be employed for the Advancement of that, which they call the Catholick Cauſe.

Therefore out of a true ſenſe of our Injuries already ſuffered, and unredreſſed with a right Apprehenſion of Inevitable Ruin, not onely to our Lives and Eſtates, but likwiſe to the *Engliſh* Nation, and Proteſtant Religion, we have re-aſſumed our Arms, according to our Duty to God, our King and Countrey, with Inviolable Reſolutions to Dye, or fruſtrate this Deviliſh Deſign.

And ſince thoſe that dye, acting for the Goſpel, are as perfect Martyrs as thoſe that dye ſuffering for it; we cannot but with Joy embrace any effect that proceeds from ſo Glorious a Cauſe, neither can this Act be eſteemed a Crime in us, ſince His Majeſty upon the Rebels firſt Inſurrection, His Treaſure being exhauſted, gave His Royal Aſſent for the paſſing of an Act of Parliament wherein He granted to his all Subjects, that would adventure Money towards the Reducing of the Rebels, Lands proportionable to the Sum adventured, which would fall to the Crown, when the Conqueſt ſhould be finiſhed, and the better to ſecure the Adventurers, His Majeſty obliged Himſelf to make no peace with the Rebels, but with the Advice and Approbation of the Parliament of *England*, and by that Act communicated to the Parliament that power, which before was ſolely in Himſelf; ſo that they not condeſcending to this peace, our employing of their Aids, and re-aſſuming of

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20 *Caroli.*

thoſe Arms, put into our Hands by King and Parliament jointly, cannot be eſteemed contradictory to His Majeſty in regard that their joint Act is ſo abſolutely binding, that neither of them ſeverally can Annul it, as is Evident in the Laws of the Realm.

Therefore if this War were onely Offenſive, yet even Slander it ſelf muſt acknowledge us Innocent, having ſo juſt a Cauſe, ſo pious an Intention, and ſo lawful an Authority, much more it being Defenſive, and the Law of God, and Nature allowing every one to Defend himſelf from Violence and Wrong.

Moreover the King muſt never expect any Obedience from the *Iriſh*, but what proceeds, either from their Intereſt, or Fear: through the firſt of theſe, neither His Majeſty or we can hope for Aſſurance; for not granting them all their Deſires, their Intereſt (which is more powerful with them then their Loyalty) will make them throw off their Subjection, and to become abſolute, not ſcruple to deſtroy us: then to expect any Security by their Fears, were frivolous; for though we have found their Hearts as ill, as their Cauſe; yet they cannot be Apprehenſive of two or three Thouſand, Ill-Armed and Unprovided Men, having all things neceſſary, and ſo Numerous a People at their Devotion.

And leſt our Enemies ſhould ſcandalize us with Breach of Faith, in violating the pretended Ceſſation, or with Cruelty in expelling the *Iriſh* papiſts from our Garriſons, who hitherto ſeemed adhering to us.

Concerning the firſt we declare, that although our Neceſſities did induce us to ſubmit, ſuppoſing the Ceſſation would have produced other Effects, as is before mentioned; yet that we had no power (without authority from King and Parliament joyntly) to Treat or Yeild to it; or, if it had been in our powers yet by the Rebels dayly Breaches of it, we are diſ-engaged from it.

Concerning the ſecond we declare, that our Garriſon cannot be ſecured, whilſt ſo powerful and perfidious Enemies are in our Boſoms; Powerful, being four to one in Number more then the *Engliſh*; Perfidious, in their conſtant Deſigns to Betray us; Some whereof we will inſtance to convince their own Conſciences, and ſatisfy the World of our Juſt Proceedings.

One *Francis Matthews*, a *Franciſcan* Friar (being wonderfully diſcovered in an ænigmatical Letter, and as juſtly executed) before his Death confeſſed, that he had agreed to betray the City of *Corke* to the Lord of *Muskery*, which muſt neceſſarily infer, that the chiefeſt and greateſt part of that City were engaged in this Conſpiracy; for otherwiſe he could not ſo much as hope the accompliſhment; and if this had taken effect, it had conſequently Ruined all the Proteſtants in the Province, that being our chief Magazine and greateſt Garriſon: beſides, upon this occaſion, other Friars being examined upon Oath, confeſſed that in their daily Maſſes within that Town, and all other of our Garriſons (where Papiſts did Inhabit) they prayed for the Advancement of the Catholick Cauſe, which they believed the Rebels Fought for.

And laſtly, we have lately diſcovered, that the now Mayor and Corporation had combined with the Rebels to betray the Town to them, and for that purpoſe an Army was drawn to all the parts, adjoyning to our Garriſons; in the three Chiefeſt whereof, we are confident, the Rebels had their party; but by Divine Providence, before the plot could be executed, the Mayor, preſuming on his ſpeedy ſucceſs, contemned the Lord of *Inchiquin*'s Authority, by oppoſing the Levying of the Moneys granted by the *Engliſh*, for the Maintenance of the Soldiers, juſt about the Nick of time, that the Treachery was to be effected.

And he being Committed upon this occaſion, the Rebels apprehending their Deſign to be Diſcovered, withdrew their Forces; and leſt this ſhould be judged as an Act of the Mayor onely, as a private perſon, we deſire the World to take notice, that as ſoon as our Army, which forced their obedience was removed into *England*, the Papiſts generally reſiſted whatever could be propounded for our ſecurity, and would have diſenabled us to continue our Garriſons, had not the poor ſtript *Engliſh* taken that Burthen upon themſelves.

Nay, they were ſo Inſolent, that they laboured to get Arms into their hands, and to cauſe us to Disband our Soldiers, which they affirmed to be kept as an unneceſſary charge upon the King; that ſo they might, with more facility, receive the *Iriſh*, and ruin us.

In a word, ſince they pretend the Ground of this War to be for Religion, and that this is confeſſed by thoſe who ſeemed to adhere to us; what Faith can be expected from ſuch a People, whoſe Religion permits them to hold none with us?

An. 1644.

By this preceding Relation it is evidently ſeen, that unleſs we re-aſſume our Arms, we Betray the Truſt committed to us by God, the King and Parliament, and become Slaves both of Bodies and Souls; and therefore we have reſolved to perform our Duty, though with apparent Hazard of our Lives; and likewiſe maintain that, which is a thouſand times more dear to us, our Religion, and alſo defend our Garriſons for the Kings Juſt Uſe.

Theſe we take God to witneſs are our Intentions, and we beſeech him to puniſh us as ſtrangely as hitherto he hath preſerved us, if we decline at all from theſe Loyal and Religious Reſolutions: and we firmly hope, that the World by this Declaration will be as fully ſatisfied of the Juſtice of our proceedings, as we our ſelves are; then though we all loſe our Lives in this Cauſe, we ſhall give our Friends occaſion to Rejoyce, and our Enemies to Envy at ſo Bleſſed an End.

His Majeſties Letter to the Marqueſs of *Ormond*, *December* 15. 1644.

Ormond,

I Am ſorry to find by Collonel Burry *the ſad Condition of your particular Fortune, for which I cannot find ſo good and ſpeedy Remedy as the peace of* Ireland, *it being likewiſe moſt neceſſary to redreſs Affairs here, wherefore I command you to diſpatch it out of hand, for the doing of which I hope my publick diſpatch will give you ſufficient Inſtruction and Power, yet I have thought it neceſſary for your more Encouragement in this neceſſary work to make this addition with my own hand. As for* Poyning's *Act, I refer you to my other Letter, and for matter of Religion, though I have not found it fit to take publick notice of the Paper which* Brown *gave to you, yet I muſt Command you to give him my Lord* Muskerry *and* Plumket *particular thanks for it, aſſuring them that without it, there could have been no peace; And that ſticking to it, their Nation in general and they in particular ſhall have Comfort in what they have done; And to ſhew that this is more then words I do hereby promiſe them (and Command you to ſee it done) that the penal Statutes againſt* Roman Catholicks *ſhall not be put in execution, the peace being made, and they remaining in their due obedience; and further, that when the* Iriſh *give me that aſſiſtance which they have promiſed, for the ſuppreſſion of this Rebellion, and I ſhall be reſtored to my Rights, then I will conſent to the repeal of them by a Law; But all thoſe againſt Appeals to* Rome, *and premunire muſt ſtand; All this in Cypher you muſt impart to none but thoſe three already named, and that with Injunction of ſtricteſt ſecrecy: So again recommending to your care the ſpeedy diſpatch of the Peace of* Ireland, *and my neceſſary Supply from thence as I wrote to you in my laſt private Letter, I reſt.*

The King to the Marqueſs of *Ormond*, *Jan.* 7 164⅘.

Ormond,

UPON the great Rumors and Expectations which are now of peace, I think it neceſſary to tell you the true ſtate of it; leaſt miſtaken Reports from hence might trouble any affairs there.

The Rebels here have agreed to Treat, and moſt aſſuredly, one of the firſt and Chief Articles they will inſiſt on, will be to continue the Iriſh *War, which is a point not popular for me to break on, of which you are to make a double uſe: Firſt, to haſten (with all poſſible diligence) the Peace there, the timely concluſion of which will take off that Inconvenience which otherways I may be ſubject to, by the refuſal of that Article upon any other reaſon, ſecondly, by dextruous conveying to the* Iriſh *the danger there may be of their total excluſion from thoſe favours I intend them, in caſe the Rebels here clap up a peace with me, upon reaſonable terms, and onely exclude them; which poſſible were not Counſellable for me to refuſe, if the* Iriſh *peace ſhould be the onely difference betwixt us, before it were perfected there. Theſe I hope are ſufficient Grounds for you to perſwade the* Iriſh *diligently to diſpatch a peace upon reaſonable Terms, aſſuring them that you having once fully engaged to them my word (in the concluſion of a peace) all the Earth ſhall not make me break it.*

But not doubting of a peace, I muſt again remember you to preſs the Iriſh *for their ſpeedy aſſiſtance to me here, and their Friends in* Scotland: *My Intentions being to draw from thence into* Wales *(the peace once concluded) as many as I can of my armed Proteſtant Subjects, and deſire that thoſe* Iriſh *would ſend as great a Body as they can, to Land about* Cumberland, *which will put the Northern Counties in a brave condition,*

wherefore

20 *Caroli.*

wherefore you muſt take ſpeedy order to provide all the Shipping you may, as well Dunkirk *as* Iriſh *Boſtoms, and remember that after* March, *it will be moſt difficult to tranſport men from* Ireland *to* England, *the Rebels being Maſters of the Seas: So expecting a diligent and particular Account in Anſwer to this Letter, I reſt*

Your moſt aſſured Conſtant Friend,

CHARLES REX.

His Majeſties Letter to the Marqueſs of Ormond, 16 Feb. 1644.

Ormond,

I Should wrong my own Service, and this Gentleman, Sir *Timothy Fetherſton*, if I did not recommend him and his buſineſs to you; for the particulars of which, I refer you to *Digby*. And now again, I cannot but mention to you the haſtning of the *Iriſh* peace, for which I hope you are already furniſhed by me with materials ſufficient. But in caſe (againſt all expectation and reaſon) peace cannot be had upon thoſe Terms, you muſt not by any means fall to a new Rupture with them, but continue the Ceſſation (according to a *Poſtſcript* in a Letter by *Jack Burry*, a Copy of which diſpatch I herewith ſend you:) So I reſt.

Poſtſcript,

IN caſe upon particular mens Fancies, the Iriſh *Peace ſhould not be procured, upon the powers I have already given you, I thought to give you this further Order, (which I hope will prove needleſs) to ſeek to renew the Ceſſation for a year, for which you ſhall promiſe the* Iriſh (*if you can have it no cheaper*) *to joyn with them againſt the* Scots *and* Inchequin, *for I hope by that time my Condition may be ſuch, as the* Iriſh *may be glad to accept leſs, or I be able to grant more.*

Oxford, Feb. 26.
1644.

To the Duke of *Ormond*, *Feb.* 27. 1645.

The King to the Marq. of Ormond, Feb. 27.

Ormond,

THE Impoſſibility of preſerving my Proteſtant Subjects in *Ireland*, by a Continuation of the War, having moved me to give thoſe powers and directions, which I have formerly done, for concluding of a peace there, and the ſame growing daily much more evident, that alone were reaſon enough for me to enlarge your powers, and to make my Commands in the point more poſitive. But beſides theſe Conſiderations, it being now manifeſt, that the *Engliſh* Rebels have (as far as in them lyes) given the Command of *Ireland* to the *Scots*, that their aim is a total Subverſion of Religion and Regal power, and that nothing elſe will content them, or purchaſe peace here; I think my ſelf bound in Conſcience not to let ſlip the means of ſettling that Kingdom (if it may be) fully under my Obedience, nor to loſe that aſſiſtance which I may hope from my *Iriſh* Subjects, for ſuch ſcruples as in a leſs preſſing condition might reaſonably be ſtuck at by me: For their ſatisfaction, I do therefore Command you to conclude a peace with the *Iriſh*, whatever it coſt, ſo that my Proteſtant Subjects there may be ſecured, and my Regal Authority preſerved; but for all this, you are to make the beſt bargain you can, and not diſcover your enlargement of power till you muſt needs, and though I leave the managing of this great and neceſſary Work intirely to you, yet I cannot but tell you, That if the Suſpenſion of *Poynings* Act, for ſuch Bills as ſhall be agreed upon between you there, and the preſent taking away of the Penal Laws againſt Papiſts by a Law, will do it, I ſhall not think it a hard bargain, ſo that freely and vigorouſly they engage themſelves in my aſſiſtance, againſt my Rebels in *England* and *Scotland*, for which no Conditions can be too hard, not being againſt Conſcience or Honour.

An. 1644.

CHAP. XXI.

Paſſages in, or relating unto Scotland, *in the Year* 1644. *and Actions of* Montroſs *for the King.*

Of Montroſs.

THE perſon that made the chief figure in the *Scottiſh* Affairs at this time, being the Lord Marqueſs of *Montroſs*, it may not be unſatisfactory to give a brief account of that active Noble man. He was deſcended from, and Chief of the Ancient Family of the *Grahams*, called in Old *Scottiſh Graham-More*, the Great *Graham*, of whom one was Son-in-Law to *Fergus* the Second King of *Scotland*. Famous in the Hiſtories of that Nation, for that he was the firſt, that with the aſſiſtance of his Father-in-Law, caſt down that Trench which *Severus* had cauſed to be made and ſet out, for the utmoſt Limit of the *Roman* Empire, between the *Scottiſh Frith* and the River of *Cluid*, (the narroweſt place of the whole *Britiſh* Iſle) and by that means cut the power of the *Romans* ſhorter. In memory whereof, ſome Remains of that Trench are to this day, called by the Inhabitants *Gremesdyke*.

James, Marqueſs of *Montroſs*, of whom we are about to ſpeak, was not much above Thirty years of Age: How he firſt ſided with the Covenanters, and was afterwards gained to the King, we have mentioned in our ſecond Volume of Collections, *Fol.* 847. and 949. After which time, the Covenanters were very Jealous of him, and having by ſome ſecret Correſpondence underſtood, That the King had written Letters to *Montroſs*, and that they were Quilted in the Saddle of the Bearer, one *Stuart*, belonging to the Earl of *Traquair*, the Bearer was no ſooner entred the Borders of *Scotland*, but he was apprehended on ſome pretences, his Saddle ript up, and the Letters Intercepted; whereupon *Montroſs*, with *Napier*, Lord of *Marchiſton*, and Sir *Sterling Ker*, Knight, his two near Kinſmen, and intimate Friends, were on a ſudden Clapt up Priſoners in the Caſtle of *Edinburgh*, where he remained when His Majeſty was in *Scotland*, *Anno* 1641. and ſoon after His Majeſties return to *England*, he and his Friends were ſet at Liberty.

Montroſs *Impriſoned.*

Releaſed.

Afterwards, towards the end of the year 1642. when the Queen came from *Holland*, and was Landed in *Yorkſhire*; *Montroſs*, accompanied with the Lord *Ogilby*, haſtened to wait on Her Majeſty, and attended Her to *York*, where he gave Her Majeſty an Account of the State of Affairs *in Scotland*, and the dangers thence to be apprehended: That the King wanted not Subjects in *Scotland*, Faithful and Stout: Nor did they want Hearts, nor Wealth, nor Power, to oppoſe againſt the Covenanters, if they durſt enterprize any thing againſt the King: All that they wanted was the Kings Commiſſion, without which they durſt do nothing, and all the danger was in delay. That the Covenanters, when they had once got an Army on Foot, would be able to grind any to pieces that ſhould offer to ſtir, and therefore the only way was to be beforehand with them. But at the ſame time, the Marquiſs (for he was yet no more) of *Hamilton*, came likewiſe to kiſs Her Majeſties Hand, and Gratulate her Happy Return, who endeavoured to divert Her Majeſty from hearkning to that Overture of *Montroſs* as raſh, and no way like to conduce to the Kings Intereſts, for that His Majeſty having ſo lately ſettled a Treaty with *Scotland*, till that were violated on their part, if the King ſhould begin the Rupture, and Authorize the firſt breach, it would both ſtain his Honour, and create a perpetual Diffidence in all his Subjects, of his Conceſſions and Aſſurances. That he had indeed great fears of *Scotland*, yet hoped to keep things in Agitation that Summer; and at worſt, 'twas fitter to ſpin out things as long as could be, than to precipitate them by an over-haſty Rupture, which

Waits upon the Queen.

His Advice.

Hamilton *oppoſes his Counſel.*

which in its ſelf carried no probability of Succeſs, ſince there was never a place of Strength in all *Scotland*, in the Kings power, to which they might retire, ſince the vulgar were ſtill at the Miniſters Devotion, and all as one man reſolved to dy in the defence of the Covenant, and if any handful of Gentry could be got together, they would but expoſe their own Throats to their Enemies Rage, and the Kings Authority to their Hatred and Scorn: That the only hopes muſt be of the *Highland-men*, and nothing conſiderable could thence be expected, for the Marqueſs *Huntley* was unable for ſo brisk an Undertaking, and the Inclinations of *Argyle* (the other Chief of thoſe parts) were ſufficiently known; beſides, there was a *Scottiſh* Army in *Ireland* conſiſting of Ten Thouſand men, now well Train'd and Diſciplin'd, who were for the moſt part at the Covenanters Devotion, and theſe would preſently be brought over, there being no way to obſtruct their paſſage, and he could not foreſee how any Body of an Army could be raiſed in *Scotland* for the Kings Service, able to reſiſt that Force. In regard of all which difficulties, he diſſwaded a preſent Breach, and adviſed rather to Temporize, and hold off the *Scots* by fair means as long as might be. *Montroſs* replied, That nothing would come of that but the loſs of opportunity, and ſlipping time, till the Covenanters having raiſed an Army, ſhould prevent the King of any means to deliver himſelf and his party from their Tyranny. 20 *Caroli.*

But *Hamiltons* Advice prevailed, and both the Marqueſſes return'd to *Scotland*, where notwithſtanding *Hamiltons* Mediation and Endeavours, the Kings Intereſt ſtill declined, and *Montroſs* perceiving that matters would iſſue in Aſſiſtance to the *Engliſh* Parliament, comes again into *England* about *Auguſt*, 1643. the King lying then before *Gloceſter*: To whom he declared, That there was a powerful Army deſigned to be raiſed in *Scotland*, and brought into *England* againſt His Majeſty; that ſome private Overtures had been made to himſelf, and Honourable Commands offered him, but that deteſting ſuch an Imployment, he was fled to His Majeſty, that having Advertiſement thereof, if he were not able to provide ſo timely and powerful a Remedy as could be wiſhed, he might at leaſt caſt ſome Rubs in their way, and impede their Enterpriſes, until ſuch time as he had better ſettled his Affairs in *England*; that there were very many in *Scotland*, who would Sacrifice themſelves and all they had, for their deareſt King, whoſe good Affections would be of no uſe to His Majeſty, after the Covenanters had raiſed their Army. Montroſs *comes again into* England.

But nothing was done in this Affair, till Tidings came That the *Scots* were almoſt ready to March into *England*, and then *Montroſs* being conſulted with, about ſome Expedients to divert that Storm, told the King, That tho' things ſeemed now to be come to an Extremity, and he had nothing to ſet up with, neither Men, nor Arms, nor Pay, yet, if His Majeſty would lay his Commands upon him, he would undertake to do his beſt, His Majeſty ſhould be in no worſe caſe than he was, for he would take what malice Envy or Danger ſhould happen, upon his own Shoulders; ſo as His Majeſty were graciouſly pleaſed to condeſcend to a few reaſonable Requeſts. And firſt, That the buſineſs might go on more ſucceſsfully, it ſeemed to him very neceſſary, that ſome Soldiers ſhould be ſent out of *Ireland* into the *Weſt* of *Scotland*, to give them a diverſion: Next, That Order ſhould be given to the Marqueſs of *Newcaſtle*, to furniſh him with a party of Horſe, wherewith to enter the *South* of *Scotland*: Thirdly, That His Majeſty would deal with the King of *Denmark* for ſome Troops of *German* Horſe: And laſtly, That courſe might be taken for procuring and tranſporting ſome Arms into *Scotland*: All which, the King declared he would take into Conſideration. And the Earl of *Antrim* being then at *Oxford*, undertook the bringing over the *Iriſh* Forces, engaging that he would be in *Argyle* (a part of *Scotland* bordering towards *Ireland*) with Ten Thouſand Men, by the firſt day of *April*, 1644. (this Conſultation being in *December*, 1643.) For Foreign Aids and Arms, the King diſpatch'd Inſtructions to Sir *John Cockeram*, his Ambaſſador, with the Crown of *Denmark*, and Directions were ſent to the Marqueſs of *Newcaſtle* as was deſired; and *Montroſs* having received the Kings Letters and Commiſſion, to be Governour of *Scotland*, and General of his Forces there, ſets forwards thitherwards, attended by about two hundred Horſe, moſt of them Gentlemen, that had been Officers in Foreign Service, and by the way Conferred Montroſs *Imploy'd by the King into* Scotland.

An. 1644.

A Conference between Montroſs *and the Marq. of* Newcaſtle.

Conferred with my Lord *Newcaſtle*, who inſiſted upon the Diſtreſſes and Neceſſities of his Army, That the *Scots* breaking in, in the midſt of Winter, had routed his Recruits; and that now, in far greater Numbers than he had, they Quartered within five miles of him, ſo that he could not poſſibly ſpare any Horſe, without a manifeſt hazard to the whole Army. *Montroſs*, on the other ſide, urged, That he could not do himſelf a greater Kindneſs, or His Majeſty better Service, than by accommodating him with a party of Horſe (in which he was very ſtrong) to enter *Scotland*, that ſo he might either divert, or at leaſt divide the Enemy, and by kindling a Fire in the Bowels of their own Country, fetch them home again to defend themſelves. *Newcaſtle* replied, That as ſoon as he had wound himſelf out of that preſent danger, he would not be wanting in any Service to *Montroſs*, but all he could do at preſent, was to furniſh him with about two hundred Horſe and Dragoons, and two Braſs Field-pieces; together, with Orders to all the Kings Officers and Commanders in *Cumberland*, and *Weſtmoreland*, to give his Lordſhip what Aſſiſtance they could: And accordingly, they came into him with Eight Hundred Foot, and Three Troops of Horſe, and with thoſe Forces he entred *Scotland*, and took the Town of *Dumfreize* (as we have already mentioned elſewhere) but not hearing any thing of the Forces, he expected from *Ireland* to join with him, and the Enemy gathering round him on every ſide, he was obliged to quit it again, and returned to *Carliſle*, and engaged himſelf amongſt the Kings Forces in *Northumberland*, and the Biſhoprick, where he took the Town and Caſtle of *Morpeth*, and when Prince *Rupert* came to Relieve *York*, was ſent for to Join him; which he endeavoured to do with all Expedition, but could not get up in time, for he met not the Prince till the day after the defeat of his Army at *Marſton-moor*, and preſs'd hard for ſome of the Princes Horſe to go with him upon an Expedition into *Scotland*, but his Highneſs did not think fit at that time to ſpare any: So *Montroſs* and his own Troops return to *Carliſle*, much afflicted that he could get no further aſſiſtance, and finding the State of *Scotland* in ſuch a poſture, wholly averſe to his party, and no hopes of the Earl of *Antrim* and his *Iriſh*, in this extremity, he at laſt reſolved upon a ſtrange Adventure, which yet afterwards open'd him a way to an eminent degree of Glory and Fame, for reſigning thoſe Gentlemen, that had continued conſtant with him, to the Conduct of the Lord *Ogilby* (whom only he truſted with his ſecret Intentions) to carry them to the King, and himſelf keeping them Company the firſt two days March, and leaving with them his Horſes, Servants and Carriages, privately left them, and haſtened back to *Carliſle*. There ſelecting only two men for his Companions and Guides, *viz.* Sir *William Rollock*, and one *Sibbald*, the Marqueſs diſguiſed, and in the Habit of a Groom, paſſing as *Sibbalds* Man, mounted on a lean Jade, and leading another in his hand, came to the Borders; and ſo entring *Scotland*, in four days time, got to the Houſe of his Couſin *Patrick Graham* of *Innitbrake*, not far from the River of *Tay*, on that ſide of the Sheriffdom of *Perth*, which is next the Mountains, where he ſojourned ſome time in a Neighbouring Cottage in the Day time; and the Nights (for fear of ſearches) he moſtly ſpent in the Neighbouring Mountains, and having ſent his two Companions ſeveral ways amongſt his Friends, to learn Intelligence, they bring him word, That the Kings party were every where under Hatches, that of ſuch of them as had made oppoſition, ſome were Deſtroyed, others Fined, and others Impriſoned: That the Marqueſs of *Huntley* had laid down the Arms, which too unadviſedly he had taken up, at the firſt Summons of the Enemy, and that he himſelf was fled to the uttermoſt corner of the Iſland. In the mean time, the Earl of *Antrim* had ſent ſome *Iriſh* under the Command of *Alexander Mac-Donel*, a *Scotchman*, who landed in the *North* of *Scotland*, and having ſome Letters to *Montroſs*, to advertiſe him of their arrival, ſent a Truſty man with them, ſuppoſing him ſtill at *Carliſle*, which Meſſenger paſſing by Mr. *Patrick Grahams*, and knowing how related and affectionate he was to *Montroſs*, acquainted him with the buſineſs, who promiſed he would take Charge of the Letters, and undertook to deliver them ſafely to *Montroſs*, though he made a Journey as far as *Carliſle* on purpoſe. By this unexpected means, the Letters came to *Montroſs* ſooner than could be hoped, who writes back, as from *Carliſle*, to encourage them, That they ſhould not ſtay long either for ſufficient Aſſiſtance to Join with them, or a General to Command them: But withal, required them forthwith to come down into *Athole*, a place whoſe Inhabitants he valued moſt of all the *Highlanders*. The *Iriſh* receiving *Montroſs*'s Commands, marched ſtrait thither, where he immediately

Montroſs *takes* Dumfreize.

Forced back into England.

Returns privately into Scotland.

ately came to them on foot in the habit of a Mountainer without any Man along with him ſave the ſaid Patrick *Graham* his Guide and Companion, and indeed the *Iriſh* would hardly be perſwaded that that was *Montroſs*, till they ſaw him ſomuch worſhiped by the men of *Athole* and others that knew him well. His coming then was moſt ſeaſonable, for they were in extream danger to be cut off; *Argyle* being in their Rear with a ſtrong and well ordered Army; The Campaign Countrey ready in Arms before them, expecting to fall upon them if they ſhould make down into the Plain; The Veſſels that brought them over were Burnt by *Argyle* that they might have no Retreat; Nor would the *Athole* Men or any other that favoured the Kings Cauſe, venture any hazard with them becauſe they were Strangers, and came not by the Kings open and known Authority; Nor had they any Commander of ancient Nobility, a thing by the *Highlanders* much ſet by; who would not fight under the Command of *Alexander Mac Donel* a Man of no Account with them; Laſtly, their Number was Inconſiderable, being not above 1100. 20 *Caroli.*

But the next day after *Montroſſes* Arrival the *Athol* Men to the Number of 800 put themſelves in Arms, and offered him their Service; with whom he Marched over the Plains towards *Ern*, and paſſing by *Weme* a Caſtle of the *Meniſes*, ſeeing they affronted a Trumpeter whom he ſent to them, and fell hotly upon the Rear of his Army, he waſted their Fields and cauſed all their Houſes and Corn to be fired and utterly deſtroyed. This was the firſt Onſet of the War to ſtrike Terror into the Enemy. Montroſs *begins a War in* Scotland *with Fire and Sword.*

The ſame Night he paſſed over *Tay* the greateſt River in *Scotland*, and ſending forth Scouts before, received notice of ſome Soldiers diſcovered on the Top of an Hill at *Buckinth*, who proved to be commanded by the Lord *Kilpont* Son to the Earl of *Taith*, a Man of ancient Nobility and deſcended of the *Grahams*, and Sir *John Drummond* Son to the Earl of *Perth*, a Kinſman alſo of *Montroſs*, who were both of them ſummoned by the Covenanters to joyn againſt the *Iriſh* as the Common Enemy, and had got together about 500 Foot, but had not heard any certainty at all of *Montroſſes* being in thoſe parts. But as ſoon as they underſtood it by his Approach, they preſently joyned themſelves unto him.

Then together away they march towards *Perth*, where the Covenanters Army was drawn to a Rendezvouz, whom he finds upon *Tippermoor* three Miles from that City, drawn up providing to fight; They were Commanded by the Lord *Elchoe*, with whom were the Earl of *Tullibardin*, and the Lord *Drummond*, Sir *James Scot* (who formerly had done good Service under the State of *Venice*) and others; Their whole ſtrength being near 6000 Foot and 700 Horſe; *Elchoe* Commanded the Right Flank, Sir *James Scot* the Left, and *Tullibardin* the Battalia, to the Right and Left Flanks were added Wings of Horſe, with whom they made Account to have Hemm'd in *Moutroſs*, being ſo much ſuperior to him in Numbers, and eſpecially becauſe he had no Horſe-men at all, nor any more than three poor lean Horſes in all his Army. Therefore to prevent their falling upon him Front, Rear, and Flank, he cauſed his Forces to be drawn out in as open an Order as could be poſſible, and made his Files onely three deep; Commanding the Ranks to diſcharge all at once, thoſe in the firſt Rank kneeling, the ſecond, ſtooping, and the hindermoſt where he placed the Talleſt Men, upright, and that they ſhould not ſo much as make a ſhot, till they came to the very Teeth of the Enemy; purſuant to which Orders, having beat back the Enemies Forlorn-Hope in diſorder to the main Body, his whole Army with a mighty ſhout advanced upon them, and quickly put the Left Wing to flight; The Right Wing ſtood to it ſomething better, for Sir *James Scot* diſputed for ſome time for the higher ground, but *Montroſſes* Men, being much the ſwifter Footmen, gained it; and at laſt routed them too, and had the purſuit of them ſeveral Miles with great ſlaughter; And the ſame day took in the City of *Perth*, but would not ſuffer it to be plundered, by that kindneſs to oblige them to the Kings Party. Montroſſes *Victory at* Perth *Sept.* 1 1644.

He ſtaid at *Perth* three days, but then underſtanding that *Argyle* with a great Force of Foot re-inforced with ſupplies of Horſe out of the Southern parts, was advancing near him, he paſſed over the *Tay* into *Angus*, where the Lord *Ogilby* Earl of *Airley* with his two Sons Sir *Thomas* and Sir *David* joyn'd him with their Tenants and Dependants; Here he received Intelligence that ſome Commiſſioners from the Covenanters (of whom the Lord *Burghly* was the principal) Quartered with an Army at *Aberdeen*; whom he determined to fight before *Argyle* came up, and therefore by ſwift Marches poſſeſſeth himſelf of the Bridge upon the River *Dee*, and approaching the City found the enemy drawn up cloſe beſides it, conſiſting of about 2000 Foot and a regiment of Horſe, whereas his own Forces were not reckoned above 1500 Foot (many of the *Highlanders* having deſerted him and laden with *His Victory at* Aberdeen *Sept.* 12. 1644.

ſpoil

An. 1644. ſpoil got home) and a very few Horſe; of whom he formed two Diviſions, and mixing amongſt them the beſt Fire men and Archers he had (who in Nimbleneſs and Swiftneſs of Body were almoſt as ſerviceable as Horſe, and in ſome reſpects better) placed them on either Wing. He gave the Command of the Right Flank to *James Hay* and *Nathaniel Gordon*, and of the Left to Sir *William Rollock*. The Left Wing of the Enemy was Commanded by *Lewis Gordon*, Son to the Marqueſs of *Huntley*, who having got the plain and moſt commodious Ground for fighting on Horſeback, Charged *Montroſſes* Right Flank, who perceiving it, ordered the Horſe of his left Flank to their Aid whichreceived the charge with ſuch Courage, that they beat back the Enemy, but were ſo few they durſt not follow the Chace; the rather for that the Enemy was preparing to Charge *Montroſſes* Left Wing now wholly deſtitute of Horſe, therefore *Montroſs* ſeeing *Lewis Gordon* and his Men fled, called off the ſame Horſe to the Left Wing, who wheeling fell upon the Flank of the Enemy, and put them to flight, but they ſoon Rallyed and imputing their double Repulſe to thoſe light Fire-locks, that were mixed with *Montroſſes* Horſe; they alſo endeavour to draw out ſome Foot-men from their main Body; but before that could be done, *Montroſſes* Foot broke in upon the Enemies Body and routed them, which the Horſe ſeeing fled, and made their eſcape, but the Foot having no place to fly to but the City, *Montroſſes* Men came in pell mell thronging amongſt them through the Gates and Poſterns, and in the Streets fought a long time very deſperately, and in the end obtained an entire Victory, and *Montroſs* entred the City, and allowed his weary Soldiers two days reſt.

In the mean time News is brought that *Argyle* was at hand with far greater Forces than thoſe they dealt with laſt, the Earl of *Lothian* accompanying him with a great Body of Horſe, therefore *Montroſs* removes from *Aberdeen* to *Kintor* a Village Ten Miles off; That he might make an eaſier Acceſs unto him for the *Gordons* and others that were ſuppoſed much to favour the Kings Cauſe. But none of them, of whom he conceived ſo much Hopes, coming in to him, He found it neceſſary to withdraw his Forces into the Mountains and Faſtneſſes where he knew the Enemies Horſe (wherein their great ſtrength conſiſted) could do them little ſervice; Therefore he hid his Ordnance in a Bogg, and quitted all his troubleſome heavy Carriages, and ſo advances to the ſide of the *Spey* (one of the ſwifteſt Rivers in *Scotland*) intending to have paſſed over it, but there he finds the Men of *Cathneſs*, and *Sudderland*, *Roſs*, *Murray* and others to the Number of four or five Thouſand, ready in Arms on the other ſide to oppoſe his paſſage, and *Argyle* with all his Force was coming upon his Back. In this ſtreight, that he might at leaſt ſave himſelf from their Horſe, he turned into *Badenoth*, a Rocky, Mountainous Countrey, and ſcarce paſſable; And ſo through *Athole*, *Adgus*, and over the *Grainsbane* (which going along with a perpetual Ridge from Eaſt to Weſt divideth *Scotland* into two near equal parts) he returned into the North of that Kingdom, and Quartered for ſome time at *Strathbogy*; But about the end of *October*, came to *Fairy* Caſtle and poſſeſt it; There through the Miſ-information of his Scouts he was like to have been ſurprized; for before he had any notice, *Argyle* was encamped within two Miles of him, with above 2000 Foot, and upwards of a 1000 Horſe. To ſecure himſelf he draws his men to an high hill which overlookt the Caſtle, the ſoil of which was rough and full of Hedges and Ditches, which ſerv'd him almoſt as well as Breaſtworks; But *Argyle* though much exceeding him in Force, did not think fit to come on, only ſome ſmart skirmiſhes happened between parties, and after ſeveral days thus ſpent, *Argyle* Retreated three *Scotch* Miles over the River, and *Montroſs* by the favour of the Night left his Rear ſhould be cut off by the Enemies Horſe returned to *Strathbogy*, and *Argyle* next day purſues him, and *Montroſs* had apprehenſions that *Argyle* underhand endeavour'd to inveigle away his Men, and therefore reſolveth on a long March the next Night, as far as *Badenoth*, and ſent away the Carriages before with a Guard; but on a ſudden News came, That not only *Forbes* of *Cregaver*, a Knight, taken at the Battel of *Aberdeen*, and who upon his Parole had the Liberty of the Camp, but *Sibbalds*, the only Confident whom beſides *Rollock*, *Montroſs* Intruſted, when he came out of *England*, were gone away, with ſome others, to the Enemy: Therefore, ſuſpecting they would betray his Counſels, called back the Carriages, and ſeemed wholly to have altered his Reſolutions; but indeed, he only delay'd them, for four days afterwards, he ſent them away again before him, and making Fires through all the Camp, he placed what Horſe he had within view of the Enemy, as if they kept their Guard there, till ſuch time as the Foot were Marched far enough from danger, and then brought the Horſe alſo ſafe off, and all by break of day came to *Balveny*, where

where he was safe from having his Quarters beat up by the Enemies Horse, they no further pursuing, it being the depth of Winter. And now many of *Montrosses* prime Soldiers, Noblemen and Gentlemen especially, deserted *Montrose*, some of them alledging Sickness, others their disability to make such long Marches in Winter, over Mountains Uninhabited, full of nothing but Stones and Briers, and scarce ever before trodden on by the Feet of Man, and therefore being forced by extream Necessity to depart, desired his Pass, which he denied to none that ask'd it. But the Old Lord *Ogilby*, though a Man of Threescore years of Age, and not very healthy neither, together with his two Sons, Sir *Thomas* and Sir *David*, could never be perswaded to leave him. *An.* 1644

Furthermore, *Montrose* shortly after received Intelligence, That *Argyle* having sent his Horse to Winter Quarters, lay with his Foot at *Dunkeldon*; and tampered with the *Athole* men to Revolt, wherefore with Incredible Expedition, he hastens thither, for in one Night, at that Season, and in those ways, he march'd with his Forces twenty four miles, to the intent he might fall upon *Argyle*, whilst he had not his Horse about him; but he having notice of *Montrosses* approach, whilst he was yet sixteen miles off, broke up his Camp, and retreated to *Perth*, where they had a strong Garrison.

By this time came *Mac-Donnel*, whom *Montrose* had sent with a party to the *Highlanders*, to raise Forces amongst them, and brought with him from thence the Chief of the *Macrenalds*, with his Men, to the Number of five Hundred; to whom out of *Athole* was added *Patrick Graham*, and some choice men of that Country. Being Recruited with these, *Montrose* marches to the Lake, out of which the River of *Tay* breaks forth, resolved to pass from thence through *Bradalbain*, into the County of *Argyle*, for he was wont to say, That *an Enemy could never be so happily overthrown as in his own Country*. He considered that *Argyle's* Power and Authority amongst the *Highlanders*, rendred him formidable to his Peers and Neighbours, for as soon as any one adventured to oppose the Covenanters, or dispute their Commands, presently *Argyle* gathering an Army of five or six Thousand *Highlanders*, crusht him to pieces; and therefore none durst stir till he were first subdued. Besides, the *Low lands* being maintained by the Covenanters, with strong Garrisons, and great Bodies of Horse, except he would undo his Friends, he had indeed no other place to Winter his Soldiers in but that.

Upon these Reasons, with long and speedy Marches, he comes into *Argyle*; the Earl whereof, was at that time Lifting of Soldiers, and had appointed the time and place for their Rendezvous, and lived himself securely in the Castle of *Innerare*, supposing no Enemy to be within one hundred miles of him, for he could never before be brought to believe, that an Army could get into *Argyle* on Foot, though in the midst of Summer, when he therefore suspected nothing less, the trembling Cow-herds came down from the Hills, and told him the Enemy was within two miles of him. Being on this surprize, unable to resist, he secured himself by getting away in a Fisher-boat, and *Montrose* dividing his Army into three Brigades, rang'd over the whole Country and laid it waste; as many as they find in Arms, going to the Rendezvous, they slay, and spared no man fit for War, and so destroyed, or drove out of the Country, or into holes unknown, all the Service, and fired the Villages and Cottages, and drove away, and destroy'd, all their Cattel. These things lasted from the 13th. of *Decemb.* 1644. to the end of *January* following.

Then departing out of *Argyle*, through *Lorn*, *Glencow*, and *Aber*, *Montrose* came to *Logh-Nesse*, where he was advertis'd that the Earl of *Seafort*, a Nobleman, very powerful in those parts with the Garrison of *Innernes*, and the strength of *Murray Rosse*, *Sutherland Cathnes*, and the *Sept* of the *Frazers* were ready to meet him, to whom he yet resolved to give Battel; but then he had notice, That *Argyle* having gathered Forces out of the lower parts of the Kingdom, and joined to them such *Highlanders* as yet adhered unto him, was come down with three thousand Foot to *Innerlogh*, an Old Castle upon the Bank of *Logh-Aber*, and therefore *Montrose* thought fit to fight him first, and so passing by a private unusual way, strait over *Logh-Aber* Hills, came upon them unawares, who presently put themselves into a posture of Fighting, and all Night both sides stood to their Arms, making frequent Sallies and Skirmishes, by Moon-light, on each other. And the next morning, being *Candlemas-Day*, the Battel began, where the prime of the *Campbells* (for that's the Sirname of *Argyle's* Family) charged very bravely, (it is said he himself was before withdrawn) but their Soldiers, when it came to dint of

Routs Argyle *at* Innerlogh.

An. 1644. Sword, retreated in diſorder, and the *Montroſſians*, for ſeveral miles, purſued them with great ſlaughter; ſo that 'twas reckoned, there were near fifteen hundred of them ſlain, amongſt whom were many Gentlemen of the *Campbells*, chief perſons of that Family, and of good account in their Country, who making as much reſiſtance as they were able, received Deaths anſwerable to their Names, in *Campo Belli*. *Montroſs* had many wounded, but few ſlain of Note, except Sir *Thomas Ogilby*, one of his deareſt Friends, and who had done good Service for the King in *England*, under the Command of his Father-in-Law the Lord *Ruthen*, Earl of *Forth* and *Brainford*.

As for the reſt of *Montroſs*'s Exploits, and his after ill Fortunes, the ſame belonging unto (as being tranſacted in) enſuing years, I reſerve them to their proper place.

The Parliament began at Edenburgh *on* Tueſday, 4. Junii 1644. *being the firſt Triennial Parliament: The Acts and Proceedings therein were as followeth.*

Undecimo Junii 1644. 6. *die Parliamenti.*

Titles of Acts and Proceedings in the Parliament of Scotland, 1644.

ACT and Proclamation Charging the ſeveral Committees of War to ſend ſome of their Number, with their Clerk, to the Parliament, with their Records, Acts, and Orders, of their Committees.

Commiſſion to the Earl of *Calendar*, to be Lieutenant-General of all the *Scots* Forces who are in Service, or ſhall ſerve, in this Common Cauſe in *Scotland* or *England*.

Proclamation to the Commanders and Officers under the Earl of *Calendar*'s Charge at *Kelſo*, proclaimed at *Edenburgh* by Lyon King of Arms.

Decimo ſecundo Junii 1644.

Act concerning the ſitting of the Seſſion to the 1 *November*, 1644.

Act continuing the meeting of the Committee for the *Northern* Buſineſs, while the 11th. of *July* next.

Commiſſion for trying of Delinquents.

14. *Junii* 1644.

Act anent thoſe who are, or ſhall be found Fugitives and Runaways from their Companies and Colours.

Ordinance in favour of the Commiſſioners of *Fyfe*, for Relief of their Armies.

Several Warrants for putting out of their Troops.

18. *Junii* 1644. 10. *die Parliamenti.*

Inſtructions by the Eſtates to the Earl of *Calendar*, anent his Commiſſion as Lord Lieutenant-General.

Ordinance anent the Earl of *Calendar*'s March with his Army into *England*.

19. *Junii* 1644.

Commiſſion to Sir *James Ramſey* to be General-Major to the Horſe, with the Declaration and Inſtructions thereuntil.

Precept and Warrant in favour of the Earl of *Calendar*.

22. *Junii* 1644.

Warrant for Supply of ſome Victuals and Money, to ſome Regiments in *Ireland*.

Inſtructions

20 *Caroli.*

Inſtructions to the Earls of *Glencarne* and *Lothiane*.
Committee for filling up the Blanks in the Propoſitions of the Articles for Peace, and for renewing the Commiſſion of the Commiſſioners to be ſent to *England*.

25. *Junii* 1644. 14. *die Parliamenti.*

Act for putting forth of Horſe and Foot, both for By-gones, and Time-coming, and thoſe that are deficient thereuntil.

28. *Junii*, 16. *die Parliamenti.*

Order of Parliament anent the filling up of the blanks in the Propoſitions for Peace.
Inſtructions for the Commiſſioners who are to go to *England*, wherein are twenty four ſeveral Inſtructions.
Inſtructions addit be the Eſtates of Parliament to the former Inſtructions already given to the Commiſſioners that goes to *London*; ſix Inſtructions more.
Reſults of the Parliament upon the Articles of Propoſitions for Peace, in Number 26.

15. *Julii* 1644. 27. *die Parliamenti.*

Act anent the Ratification of the calling the Convention, and Ratification of the League and Covenant.
Articles of the Treaty betwixt the Kingdoms of *Scotland* and *England*; and remanent Articles of the Convention of Eſtates, and Committee thereof.

The LEAGUE and COVENANT.

General Aſſemblies Approbation of the ſame.
The Convention of Eſtates Approbation thereof.
Ordinance for the Swearing and Subſcribing thereof.

Follows the TREATY,
With the Eleven Propoſitions agreed upon betwixt the Parliaments of both Kingdoms.

Articles of Treaty concerning the Town of *Berwick*.
That the *Scots* keep the Garriſon with ſix hundred Foot, and two Troops of Horſe, *&c.*

Follows an Act for Raiſing of Money,

16. *Julii*, 1644.

Commiſſion for thoſe that goes into *England*.
Diſcharge by the Parliament of *Scotland* to the Parliament of *England*, of 30000 *l.* Sterling.

19. *Julii* 1644. 31. *die Parliamenti.*

Declaration in favour of the Commiſſioners that goes to *England*, and for the *Quorum*, and pain of abſence of the Committee of Eſtates.

22. *Julii* 1644. 33. *die Parliamenti.*

Act and Declaration in favour of *James* Duke of *Hamilton*, and others, Peers and Subjects of this Kingdom, Impriſoned in *England*: That their Impriſonments are an Infringment of the Freedom and Liberty of the Subjects of *Scotland*, &c.

23. *Julii* 1644. 34. *die Parliamenti.*

Ratification of the Articles of Treaty agreed unto betwixt the Commiſſioners for *Scotland*, and the Commiſſioners for *England*, concerning the ordering of the War in *Ireland*.

Articles

20 *Caroli.*

Articles of the Treaty concerning the reducing of the Kingdom of *Ireland* to the Obedience of the Kings Majeſty, and the Crown of *England*, agreed upon betwixt the Commiſſioners for *Scotland*, Authoriſed by His Majeſty and the Parliament of that Kingdom; and the Commiſſioners for *England*, Authorized by His Majeſty and the Parliament of that Kingdom, at *Weſtminſter*:

There are Thirteen Articles.

24. *Julii* 1644. 35. *die Parliamenti.*

Act appointing the Committees of War in the ſeveral Shires and Diviſions of the Kingdom, *&c.*

Act in favour of the Earl of *Calendar*, for 40000 *l.* in Recompence of his By-gone Service in the firſt Expedition to *England.*

Act for putting the Kingdom in a poſture of War for Defence.

26. *Julii* 1644. 37. *die Parliamenti.*

Commiſſion for the Committee of Eſtates in Parliament.

27. *Julii* 1644. 38. *die Parliamenti.*

Act anent the Declaration at *Oxford*, and Rebellion in the *North* and *South.*

Warrant to the Provoſt and Bailiffs of *Edinburgh* for burning the Declaration at *Oxford* by the Hand of the Hangman.

Commiſſion anent the *Iriſh* Affairs to be Treated with the Parliament of *England.*

Ordinance anent the *Iriſh* buſineſs.

Act of Approbation and Exoneration to the Committee for Reviſing the Regiſters, and Warrants for delivery thereof, and Keys of the *Charter-Houſe* in the Caſtle of *Edinburgh*: And that Sir *Alexander Gibſon*, Clerk of the Regiſters and Records, do Reviſe and Inventory the ſaid Records, and do every other thing for the ſafety and preſervation of the ſame, as he will be anſwerable to the Kings Majeſty, and the Eſtates of Parliament, and to bring an Inventory of the ſaid Records to the Parliament at the next Seſſion.

29. *Julii* 1644. 39. *die Parliamenti.*

Reference anent the Act for putting the Kingdom in a poſture of War and Defence.

Commiſſion and Ratification anent the Exciſe.

The Roll of the particular Commodities, ſubject in payment of Exciſe, and of the Rates laid thereon, and the manner of impoſing and ſettling of it, with all Commiſſions belonging to it.

Warrant to the Clerk of the Regiſters for Printing of the Publick Acts, and of the Titles of the particular ones.

Act continuing the Parliament to the firſt *Tueſday* of *January*, 1645. and declaring the Parliament Current to that day.

Thus have I (as the beſt Legacy my dying Years could bequeath Poſterity) endeavoured to give a true Impartial Deduction of Memorable Occurrences, Civil and Military, within theſe Kingdoms of Great Brittain *and* Ireland; *As in my firſt Volumne from the Year* 1618. *to* 1629. *And in my Second, thence to the Year* 1640. *ſo in this my Third Part, from the Firſt Convention of the Parliament Aſſembled* November 3. 1640. *to the end of the Year* 1644. (Engliſh *Account.*) *At and about which time the two Houſes at* Weſtminſter *Forming a New Model of their Army, there appeared thenceforwards a New Scene (though ſtill the ſame Tragedy) of Affairs. The reporting the Particulars whereof in the ſame manner, I am neceſſitated (this Volumne ſwelling ſo much, and yet not to be Leſſened without publick Injury) to refer to a Fourth Part; which ſhall (God willing) Continue the like Remarkable COLLECTIONS to that fatal period of the Life and Reign of King* Charles *the Firſt*, January 30th. 164$.

FINIS.

AN ALPHABETICAL TABLE OF THE Principal Matters IN THIS BOOK.

A.

ABbington *the Parliament gets poſſeſſion of it*, pag. 670. *A deſign to reduce it to the King*, 808, 809, &c.

A Declaration of the Lords and Commons for the Encouragement of ſuch Apprentices *as ſhall Liſt themſelves in the Parliament's Service*, Nov. 7. 1642. p. 53, 54

A new Army *raiſed*, July 1644. 769

Array: *Gentlemen-Commiſſioners of* Array *taken Priſoners in* Devonſhire, *and ſent up to* London, 92

The Earl of Eſſex's *precept for raiſing a Company of* Archers, 370, 371

Aſſembly *of Divines. An Ordinance for calling them*, p. 337. *Their firſt meeting*, July 1. 1643. 339. *Their Petition to the Parliament*, 346. *The Aſſembly of Divines write to the Proteſtants beyond Sea*, 371, 372

The Houſes deſire and advice to the King, to put off the Aſſizes, 144. *The Kings Anſwer*, 144, 145. *The Houſes Ordinance to put them off*, 145.. *Another.*, 342

Aſſociation: *The beginning of the Aſſociation*, 66. *A Declaration of the Lords and Commons Aſſembled in Parliament, for aſſociating ſeveral Counties*, 94. *Inſtructions for their Militia-Officers*, 95. *The Reſolution and Aſſociation of the ſaid Counties*, 97. *Aſſociation for* Leiceſter-ſhire, Darby-ſhire, &c. 119, &c. *The Aſſociation of* Cornwall *and* Devon *for the King*, 381, 382. *The Oath of the Aſſociators*, 382. *Their Articles*, ibid. Weſtern *Aſſociation*, 779

B.

MR. Bagſhaw *comes back from* Oxford *to the Parliament, but is committed for High Treaſon*, 763

Banbury-Caſtle: *The Siege thereof raiſed by the Earl of* Northampton, 719

Barnſtaple *taken by the King*, 713

Judge Berkely *ſentenced*, 361

A Conſult about ſeizing Berwick *for the King*, 482. *That Town Garriſon'd for the Parliament*, 482

Beverton-Caſtle *in* Wiltſhire *taken by* Maſſey, 738

Sir William Blaxton *repuls'd*, 742

Bolton *in* Lancaſhire *taken by Pr.* Rupert, 623

Mr. Boucher *condemn'd for a deſign to ſurprize* Briſtol, 153

A deſign to ſurprize Briſtol, 153. Briſtol *taken by Prince* Rupert, July 22. 1643. 284

The Earl of Briſtol's *Speech in the Council at* Oxford, *for continuing the War*, Feb. 1642. 127

The King beats up the Parliament's Quarters at Brainford, 59. *The King's Declaration to all his loving Subjects, ſhewing his Intentions in marching to* Brainford, 60, 61, &c.

Lord Brook *ſlain*, 147, 148

Sir Baſil Brook's *deſign*, 379

Major Brown *made General of all Forces for reducing* Oxford, &c. *and in the Counties of* Oxford, Berks *and* Bucks, 673. *Marches out of* London, June 20. 1644. 674

The Table.

C.

SIR Alexander Carew *tryed before the Court Martial*, 796. *Condemn'd and Executed*, 797, &c.
Cheſhire: *An Agreement in* Cheſhire *for a Neutrality or Pacification*, Dec. 30. 1642. 100, 101. *The Parliament declares againſt it*, 101
Chicheſter *taken by Sir* William Waller, 100
Challoner, *v.* Thompkins *and* Challoner.
Sir Hugh Cholmely, 125. *Declares for the King*, 264
Major Chudly, 267
Sir George Chudley's *Declaration*, May, 1643. 272
Church-Government: *An Ordinance for the calling an Aſſembly of Divines, for ſettling the Government and Liturgy of the Church*, 337
Ciceſter *ſummoned; their Anſwer*, 130, 131 *A Proclamation againſt the Oppreſſions of the* Clergy, 319
Ordinance for Aboliſhing the Book of Common-Prayer, 839
Copredy-bridge: Waller *worſted there*, 676
The Covenant *propoſed, and brought into* England, 467. *The taking of the Covenant at St.* Margarets Weſtminſter, Septemb. 22. 1643. p. 475. *The Exhortation to the taking of the Covenant*, p. 475. *The ſolemn League and Covenant*, 478, &c. *The Names of the Commons who took the Covenant*, 480, &c. *The King's Proclamation againſt taking the Covenant*, 482

D.

DEclaration *of the Lords and Commons, in anſwer to His Majeſties Meſſage to revoke their Declarations*, p. 2. *The Kings Meſſage in Reply*, 2, 3. *Their Anſwer*, 3, 4. *The Kings Declaration that the Parliament refuſes a Treaty*, p. 5. *The Parliament's Declaration and Proteſtation to the Kingdom and the whole World*, Octob. 22. 1642. 26, 27, &c. *The Kings Declaration in anſwer to it*, 29, 30, &c. *The Kings Declaration to all his loving Subjects, after* Edge-Hill *fight*, p. 39, 40. *A Declaration of the Lords and Commons, in anſwer to it*, p. 41, 42, &c. *A Declaration of both Houſes, for the Encouragement of Apprentices, that ſhall Liſt themſelves in the Parliaments Service*, Novemb. 7. 1642. p. 53, 54. *The Kings Declaration to all his loving ſubjects, ſhewing his Intentions in marching to* Brainford, p. 60, 61, &c. *Declaration of the Lords and Commons for ſuppreſſing Papiſts and Malignants in the* North, Nov. 23. 1642. p. 64. *The Kings Declaration to all his loving ſubjects, upon occaſion of the Parliaments Ordinance for Aſſeſſing Non-Contributors*, p. 73, &c. *A Declaration of the Lords and Commons*, December 15. 1642. *concerning falſe Rumours in the* North, p. 86. *A Declaration of the Lords and Commons*, Decemb. 27. 1642. *concerning* Lilburn *and other Priſoners, threatning* lex talionis, p. 93. *A Declaration of the Lords and Commons Aſſembled in Parliament, for aſſociating ſeveral Counties*, p. 94. *A Declaration of the Lords and Commons for defence of* Hertfordſhire, Jan. 2. 164$\frac{2}{3}$, p. 102. *A Declaration of the Lords and Commons for ſecuring of* Warwick, p. 103. *A Declaration of the Lords and Commons for a ſubſcription of Money and Plate, for a farther ſupply of the Army*, p. 104, 105, &c. *A Declaration of the Lords and Commons for* Lincolnſhire, p. 108. *A Declaration of the Lords and Commons againſt Voyages to* New-caſtle, p. 117. *A Letter and Declaration of the King to the Sheriffs, and City of* London, p. 120. *The Parliament forbid it to be read*, p. 122. *A Declaration of the Lords and Commons againſt Sir* Ralph Hopton, January 27. 1642. p. 122, 123. *A Declaration of the Lords and Commons, in Vindication of the Lord* Fairfax, Feb. 3. 164$\frac{2}{3}$. p. 131, &c. *A Declaration of the Lords and Commons in Parliament, with the advice and concurrence of the Commiſſioners of* Scotland, *touching a treaty for peace*, p. 576, 577, &c. *The Kings Declaration to all Foreign Proteſtant Churches*, p. 752, &c.
Sir Edward Deering *comes into the Parliament from* Oxford, p. 383. *His Petition to the Parliament*, ibidem. *His Death*, p. 384.
Dennington-Caſtle, p. 730, 732, &c.
An Intercepted Letter of the Lord Digby's, p. 579. *His deſign to reduce* Abington, p. 808, &c. *His Cypher*, p. 812
Directions *for the Earl of* Eſſex, p. 16, 17
The Directory *Eſtabliſhed by Ordinance*, p. 839
The Earl of Dorſet's *ſpeech in the Council at* Oxford, *for an accommodation*, Feb. 1642. p. 128, 129, &c.

E.

EDge-Hill, *v. Fight*
The Earl of Eſſex *begins his march*, Sept. 9. 1642. p. 16. *His directions from the Lords*

Lords and Commons, p. 16, 17. *Farther Directions to him*, p. 17. v. Marches. *The Earl of* Eſſex *comes to* Weſtminſter, p. 55. *Thanks to him by the Parliament*, November 11. 1642. p. 55. Eſſex *in a bad condition after the taking of* Reading, p. 290. *His Letter*, July 9. 1643. *adviſing a Peace*, p. 290, 291. Eſſex *recruited*, p. 291. Eſſex *relieves* Gloceſter, p. 292, *&c. The ſetting out of* Eſſex *and* Waller's *Army*, 1644 p. 653. *The number and charge of* Eſſex's *ſtanding Army, appointed by Ordinance*, March 26. 1644. p. 653. Eſſex *forbids plundering on pain of Death*, p. 670. *Faces* Oxford, *ibid. Gains the paſs at* Ainſlow-bridge, p. 671. *Agreed upon debate that* Eſſex *ſhall march into the* Weſt, p. 672. *The Earl of* Eſſex *his march into the* Weſt, p. 677. *He has ſome diſcontents, and the occaſion*, p. 683. *A Letter from the Parliament ſomewhat harſh to him*, p. 683. *He marches to* Tiverton, p. 684. *Leaves it*, p. 690. *A Debate whether he ſhould march into* Cornwall, *ibidem. He goes to* Plymouth, *ibid. Enters* Cornwall, June 26. 1644. *The diſpute at* Newbridge, *ibid. The King follows him*, ibid. *He writes to the Parliament*, ibid. *The Kings Letter to him*, ibid. *A Letter to him from the Commanders of the Kings Army*, p. 692. *His Anſwer*, p. 673. Eſſex *forced to quit his Army, and go by Sea in a ſmall Boat to* Plymouth, September 1. 1644. p. 698. *An account of* Eſſex *his defeat in the* Weſt, *taken out of* Mercurius Aulicus, *p. 699, &c. A relation of it, written by himſelf to Sir* Philip Stapleton, *p. 701. His Letter to Major General* Skippon, *p. 674. Articles for the Parliament's Foot*, p. 705, &c. *The Parliament's Letter to him*, p. 708. *The Atteſtation of the Officers of the Army, concerning their diſaſter in* Cornwall, *p. 708, 709.* Eſſex *goes to* Plimouth, p. 710

Exeter: *v.* p. 273.

F.

Lord Fairfax *has a diſpute with the Earl of* New-caſtle *at* Ferry-bridge, *p. 78. The Parliament's Declaration in Vindication of him*, p. 131, 132, &c. *His Anſwer to a Declaration of the Earl of* Newcaſtle, *p. 139*, &c. *His Letter to the Speaker, touching the Action betwixt him and the Earl of* Newcaſtle *at* Wakefield, May 21. 1643. *p. 268, 269, &c. Lord* Fairfax *routed at* Atherton-Moor, *p. 279. Comes to* Hull, *p. 279. Lord* Fairfax's *Letter to the Committee of both Kingdoms, concerning the fight at* Selby, p. 618

Sir William Fairfax *ſlain*, p. 747

Faſt. *Proclamation for a monthly Faſt*, p 364

Nathaniel Fiennes *Governour of* Briſtol, *p. 153*, &c. *Condemn'd in a Council of War*, p. 284

Fight. *The fight at* Powyck-bridge *near* Worceſter, Sept. 22. 1642. *p. 23, 24. Prince* Rupert's *Letter to the King touching it*, p. 24. *A relation of the Fight at* Edge Hill, *as ſet forth on the Kings ſide*, October 23. 1642. p. 33, 34. *An account of the ſame Battel, as publiſhed by Order of Parliament*, p. 35, 36, 37, &c. *The fight at* Tadcaſter, *p. 91. Fight at* Salt-Heath *near* Stafford, *p. 152, 153. The fight near* Horncaſtle, October 11. 1643. *p. 281. Sir* William Widdrington's *Intercepted Letter to the Earl of* Newcaſtle *concerning that Fight*, p. 282. Newbery-*Fight*, Septemb. 20. 1643. *p.* 293. *Fight near* Nantwyche, *p. 301, 302. Sir* Tho. Fairfax's *Letter, giving an account of it*, p. 302. *The* Fight *at* Newark, *between Prince* Rupert *and Sir* John Meldrum, *p. 307. Fight at* Selby, *p. 618. Fight at* Marſton-Moor, July 2. 1644. *p. 632, 633*, &c. *A Letter from the Generals to the Committee of both Kingdoms*, p. 636. *A Letter falſely repreſenting the ſucceſs of that Fight*, p. 685. *The ſecond fight at* Newbery, October 27. 1644. *p. 721. Major-General* Skippon's *Letter concerning it*, p. 722. *An account of it out of* Mercurius Aulicus, p. 724

G.

Gainesborough *taken*, p. 278. *Action at* Gainesborough, *p.* 278. Gainesborough *retaken by the Earl of* Newcaſtle, p. 279

The Siege of Gloceſter *begun* Auguſt 10. 1643. *p.* 286. *The King's ſummons to* Gloceſter, *p* 286. *The City's Anſwer*, p. 287. *Paſſages at the Siege of* Gloceſter *by way of Journal*, p. 287, &c. *Order to ſhut up ſhops in* London *till* Gloceſter *be relieved*, p. 291, 292. *A deſign ſet on foot to gain* Gloceſter *another way, after the Siege raiſed*, p. 295, 296

Major Gray *kill'd by Major* Hammond, *in a private quarrel at* Gloceſter, *p.* 740

Sir Richard Greenvill *goes to the King*, p. 384. *A paper put up againſt him*, ibidem. *His Letter to the Speaker, when he went off*, p. 385

Mr. Greenvill *Executed for a deſign againſt* Plymouth, *p.* 713

The Table.

H.

HAmpden *ſlain*, p. 274
Collonel Haſtings *worſted in* Leiceſter-ſhire, p. 304
Hawarden-Caſtle, p. 299
Princeſs Henrietta *born*, June 16. 1644. p. 684
Lord Herbert *and his* Welſh *Forces defeated by* Waller, p. 263
Hereford *taken by* Waller, p. 263
Hertfordſhire, p. 102
The Earl of Holland *leaves* Oxford, *and comes back to the Parliament*, p. 367, 368. *His Declaration*, ibid.
Lord Hopton *deſigns to break into* Suſſex *and* Kent, p. 654. *Is defeated by* Waller, *ibid. His Lady taken*, p. 655
Sir John Hotham *ſuſpected by the Parliament*, p. 275. *Captain* Hotham *Impriſoned*, ibid. *Sir* John Hotham *ſeized*, p. 276. *A Declaration of the Parliament to Indemnify the Major of* Hull, *and others, for ſeizing him*, p. 276, 277. *Tryed before a Court Martial*, p. 298, 299, &c. *Condemned*, ibid. *Mr.* John Hotham *Tryed and Condemned*, p. 799, 800, 801. *Captain* Hotham's *Petition to the Lords*, p. 802. *To the Commons*, p. 803. *Captain* Hotham's *Execution*, ibid. *His Speech*, ibid. *Sir* John Hotham's *Speech at his Execution*, p. 804
Captain Howard *Hanged by the Parliament*, p. 685
Hull *ſecured*, p. 276. Hull *beſieged*, p. 280. *The ſiege raiſed*, p. 281

I.

A Letter from the Earl of Leiceſter, *Lord Lieutenant of* Ireland, *complaining of the delays he met with at Court, which retard his going into that Kingdom*, September 26. 1642. p. 13, 14. *Order of the Commons for ſuch as do good ſervice in* Ireland, November 3. 1642. p. 53. *The Meſſage and Reaſons why he would not paſs a Bill to inforce payment of the Subſcription-Money for* Ireland, p. 318. *A Declaration of the Lords and Commons, touching the Riſe and Progreſs of the Rebellion in* Ireland, p. 346, 347, &c. *Tranſactions in* Ireland, *and Paſſages relating thereunto, in the years* 1642 *and* 1643, *until the Ceſſation concluded the* 15*th of* September, 1643. chap 14. p. 504, &c. *A Letter from* Iſidore's *Colledge in* Rome, *by* Bonaventure O Conny, *to* Phelim Roe O Neal, January 4. 1641. p. 504. *The Siege of* Tredagh, *ibid.* &c. *The taking of* Dundalk, *p.* 506. Carrick-main-Caſtle *taken*, p 507. *The Earl of* Ormond's *Expedition againſt the Rebels*, April 1642. *p.* 507. *The Battel at* Kill-ruſh, *p.* 512. *Seven hundred Rebels ſlain*, p. 513. *The Rebels ſummons to the Lady* Offalia, *p.* 514. *Her gallant Anſwer*, ibid. Sidney *Lord Viſcount* Liſle *relieves her*, ibid. &c. *Sir* Charles Coote *ſlain*, p. 515. *Lord* Broghill's *Exploits*, ibid. *Articles agreed on by the Popiſh Synod at* Kilkenny, May 1642. *p.* 516, &c. *Commiſſion to diſarm all Papiſts in* Ireland, *p.* 522. *The Brief of Pope* Urban, *to* O Neal *an* Iriſh *Rebel*, October 8. 1642. *p.* 525. *The Pope's Indulgence to War againſt the Hereticks in* Ireland, *ibid. An Act of State for the yearly Obſervation of the* 23*d. of* October, *p.* 529. *A Committee ſent by the Parliament into* Ireland, *p.* 530. *Commanded away*, ibid. *The Lords Juſtices Letter to the Speaker of the Houſe of Commons in* England, *touching* Roſs, *&c.* April 4. 1643. *p.* 531. *Petition of ſome Proteſtants in* Ireland *to the King*, p. 533. *The King's Anſwer*, p. 534. *An Ordinance for Loans and Contributions for* Ireland, *p.* 535. *Remonſtrance of ſome Officers in* Irelnnd, *p.* 537. *The King's Commiſſion to treat with the* Iriſh *for a Ceſſation*, ibid. *The King's ſecond Letter touching a Ceſſation*, p. 538. *A Letter from the Lords Juſtices in* Ireland *to the King, touching the preſent ſtate of* Ireland, May 11. 1643. *p.* 538. *A Declaration of the Lords and Commons, touching the preſent lamentable Condition of* Ireland, June 16. 1643. *p.* 539. *Reſolves concerning* Ireland, *p.* 540. *Propoſitions touching* Ireland, *ibid. The form of the ſubſcriptions*, p. 541. *The King's Letter to the Lords Juſtices, to agree to a Ceſſation*, p. 542. *Commiſſion from the Confederate Catholicks at* Kilkenny, *to treat of a Ceſſation*, p. 545. *The* Iriſh *diſdain to be called Rebels*, p. 556. *Reaſons why the Parliament of* Ireland *ſhould not be determined*, September 11. 1643. *p.* 546. *Another Letter to the Lords Juſtices to make a Ceſſation, and after that, the Forces which were ſent againſt the* Iriſh, *to come over to aſſiſt His Majeſty againſt his* Engliſh *Rebels*, Septemb. 7. 1643. *p.* 547. *Articles of Ceſſation with the* Iriſh *Rebels, agreed on* Septemb. 15. 1643. *p.* 548, 549, *&c. A Proclamation of the Ceſſation*, p. 554. *A Declaration of the two Houſes againſt the Ceſſation, or Treaty with the Rebels in* Ireland, *publiſhed* September 30. 1643. *Ordinance*, October 24. 1644. *againſt giving Quarter to the* Iriſh, *p.* 783. *Concerning the Affairs of* Ireland, *from the time*

time of the Ceſſation, Septemb. 15. 1643. *to the end of the year* 1644. v. chap. 21. p. 949. *Major-General* Monro's *Letter to the Lords Juſtices*, October 15. 1643. p. 949. *The Rebels Aſſembly at* Kilkenny; *their Letter to the Lords Juſtices to vindicate themſelves from the Calumnies caſt upon them by* Monro, p. 949. *The Oath taken by the* Engliſh *Officers and Soldiers, before they left* Ireland, p. 950. *Petitions of the Proteſtants in* Ireland, October 6. 1643. *The Juſtices Anſwers*, p. 951, 952. *The King's Licenſe to the Proteſtant Agents to repair to him at* Oxford, p. 952, 953. *Their Names*, p. 953. *The Petition of the Proteſtants in* Ireland *to the King, preſented at* Oxford, April 25. 1644. p. 953, &c. *The King's Anſwer*, p. 955. *Their Propoſitions*, ibidem. *The Names of the Committee appointed at* Oxford *for* Iriſh *Affairs*, p. 958. *Objections made by the Committee to the proceedings of the Proteſtant Agents*, p. 959. *The Agents Anſwer*, ibidem. *The Proteſtant Agents ſecond Propoſitions*, p. 960, &c. *The Proteſtant Agents before His Majeſty in Council*, May 9. 1644. p. 963. *The* Iriſh *Rebels Propoſitions to His Majeſty, and the Proteſtants Agents Anſwer thereunto*, p. 963, 964, &c. *Proteſtant Agents return for* Ireland, p. 971. *The King's admonition to them*, ibidem. *A Letter from the Lord* Inchiquin, *and other Commanders in* Munſter, *to the King*, July 17. 1644. p. 972. *A manifeſtation directed to the Lords and Commons Aſſembled in Parliament at* Weſtminſter, *from the Lord* Inchiquin, July 18. 1644. p. 973. *Copy of a Letter from the Lord* Inchiquin *to Collonel* Myn, July 20. 1644. p. 974. *The Unanimous Declaration of His Majeſties Subjects in the Province of* Munſter, July 18. 1644. p. 975. *Letters from the King to the Marqueſs of* Ormond, *in* Dec. Jan. *and* Febr. 164⅘. p. 978, 979

Inſtructions *for the Lord Lieutenants, Deputy-Lieutenants*, &c. *in the Aſſociated Counties*, p. 95, &c. *Inſtructions for the Lord Admiral*, p. 312, 313

K.

THE *King's march after he had ſet up his Standard*, p. 20. *The King's Speech and Proteſtation at the head of his Army*, p. 20, 21. *His* Speech *to the Inhabitants of* Denbigh *and* Flintſhire, Sept. 27. 1642. p. 21. *His ſpeech to the Gentlemen, Freeholders and others, of the County of* Salop, Septemb. 28. 1642. p. 23. *The Kings ſpeech to the Inhabitants of* Oxfordſhire *at* Oxford, Nov. 2. 1642. p. 52 *The King quits* Reading, *and ſlights the Works*, May 14. 1644. p. 667. *Goes to* Woodſtock, June 2. 1644. p. 671. *Goes from* Oxford, *ibid. Slights* Eveſham, p. 672. *Goes to* Bewdly, p. 674. *Returns unexpectedly to* Oxford, June 15. 1644. p. 675. *Rendevouzes near* Woodſtock, p. 675. *Marches towards the* Weſt *after the fight at* Copredy-bridge, p. 686. *The King goes to* Bath, p. 688. *His ſpeech to the Inhabitants of* Somerſet-ſhire, July 13. 1644. p. 688. *The King follows* Eſſex *into* Cornwall, p. 691. *Writes to him*, ibid. *Summons* Plymouth, p. 714. *Marches off*, p. 715. *Marches out of* Somerſet-ſhire *into* Wilt-ſhire, p. 718, 719

The Earl of Kingſton *ſlain*, p. 278

L.

LAns-down. *Skirmiſhes between* Waller *and the Kings Forces at* Lans-down, p. 284

Laud *Archbiſhop. An* Ordinance *of* May 16. 1643. *that he ſhould not preſent to Eccleſiaſtical Livings*, p. 320. *An Ordinance to Sequeſter his Eſtate*, p. 330. *A ſuccinct account of the proceedings againſt him*, p. 817, &c. *Farther Articles of Impeachment againſt him*, p. 817, &c. *His Petition to diſtinguiſh the Crimes charged*, p. 821. *Order thereupon*, &c. p. 822. *His Petition for farther time*, p. 823. *Another Petition from him*, p. 825. *The Archbiſhop's Anſwer to the firſt and farther Articles againſt him*, p. 826. *His Tryal*, March 12. 1643. p. 827, &c. *Serjeant* Wyld's *ſpeech*, p. 828. *The Archbiſhops ſpeech at the beginning of his Tryal*, p. 830. *Heads of the Charge againſt him*, p. 833. *The manner of the proceedings in his Tryal*, ibid. *The Ordinance of Attainder againſt him*, p. 834. *His Speech upon the Scaffold*, p. 835. *His firſt and ſecond Prayer*, p. 838, 839

The Earl of Leiceſter *comes from* Oxford *to the Parliament, but is committed*, p. 763

Mr. L'Eſtrange, *his Tryal before the Court Martial*, p. 804, 805, &c. *Condemned*, p. 807. *Reprieved*, ibid.

Letters, *v.* Univerſities, *v.* Ireland. *A Letter from the* Hague *in* Holland, Nov. 26. 1642. *directed to Secretary* Nicholas, *but Intercepted; and mentioning great Preparations for the King abroad*, p. 69. *The manner how it was Intercepted*, p. 70. *A Copy of a Letter ſent to a Member of the Houſe of Commons from* Rotterdam, Dec. 16. 1642. p. 89, 90. *A Letter from the Lord* Fairfax *to the ſpeaker of the Houſe of Peers*, Decemb. 10. 1642. p. 91. *The*

Kings Letter and Declaration to the Sheriffs and City of London, Jan. 17. 164⅔. p. 120, 121, &c. *The Parliament forbid it to be read*, p. 122. *Copy of a Letter from the Lord* Fairfax *to the Speaker, read in both Houſes*, Jan. 26. 1642. p. 125, 126, &c. *A Letter to the Speaker from the Lord* Fairfax, *touching the Action betwixt him and the Earl of* Newcaſtle *at* Wakefield, May 21. 1643. p. 268, 269. *An Intercepted Letter from the Lord* Goring, p. 270. *A Letter from the Lord* Fairfax *and other Commanders, touching the taking of* Wakefield, p. 270, 271. *The Earl of* Eſſex's *Letter*, July 9. 1643. *adviſing a Peace*, p. 290, 291. *The Queens Letter to Duke* Hamilton *concerning her being Impeach'd in Parliament*, p. 321, 322. *The Kings Letter to the Marqueſs of* Newcaſtle, *about procuring Arms from* Holland, p. 368. *An Intercepted Letter of the Lord* Digby's, p. 579. *Letters between the King and the Queen, about the time of the* Uxbridge-Treaty, *and relating to it*, p. 941, &c.

Leverpool *taken by Prince* Rupert, p. 624. *Taken by* Meldrum, p. 747

Lilburn, *v.* p. 93

Lincoln-ſhire, p. 108, 109

Attempt *upon* Lincoln, p. 277. *The taking of* Lincoln, May 6. 1644. p. 620

Litchfield *taken by the Parliament*, p. 147, 148

The Major, Aldermen and Commons of London *Petition the King*, p. 110. *His Anſwer*, ibid. *Read in* Guildhall, p. 113. *Speeches made at that time, and upon that occaſion*, p. 113, 114, &c. *Kings Letter to the Sheriffs and City of* London, p. 120, &c. *Parliament forbid it to be read*, p. 122. *Speeches to the Citizens of* London *at* Guildhall, Apr. 9. 1644. *to advance Men and Money*, p. 658, 659, &c. *A Petition from the City of* London *to both Houſes*, May 16. 1644. p. 758. *The Commons Anſwer*, p. 759

Lyme *in great diſtreſs*, p. 670, 671. *beſieged by Prince* Maurice, p. 677. *A Journal of the Siege, which began* Apr. 20. 1644. p. 677, 678, &c.

Lynn *ſurrendred to the Earl of* Manchester, Sept. 16. 1643. *p.* 283. *The Articles*, ibid. *An Order of the two Houſes touching* Lynn, *p.* 284

M.

THE *Lord* Macguire *and* Macmahone *brought to Tryal*, p. 783. *Their ſtory*, ibid. *The Indictment againſt them*, p. 784. Macguire *pleads Peerage*, p. 785. Macmahone *Executed*, ibid. Macguire's *Plea overruled*, p. 786. *His tryal*, ibid. *Is Condemned*, p. 789. *Petitions to be Beheaded*, ibid. *Is refuſed*, p. 790. *His Execution*, p. 790, 791, &c.

Malmes-bury *ſurrendred to* Waller, *p.* 263. *Taken by* Maſſey, p. 738.

The Earl *of* Manchester's *ſpeech at the* Guild hall, London, *upon reading the Kings anſwer to the* London *Petition*, p. 113. *The Earl of* Manchester *takes* Lincoln, p. 620. *The number and charge of his Forces*, p. 621. *He advances* Northward, p. 622. *Joyns in the Siege of* York, p. 622. *Marches* Southward *after the Battel of* Marſton-moor, p. 641. *A charge exhibited by* Cromwel *againſt the Earl of* Manchester, p. 732. *The Earls Narrative*, p. 733, &c.

An order for the relief of Manchester, Nov. 24. 1642. p. 67

Marches. *The Earl of* Eſſex *begins his march*, p. 16. *The Kings march after he had ſet up his Standard*, p. 20. *The Earl of* Eſſex *his marches*, p. 33. *The Earl of* Newcaſtle *begins his march*, p. 77. Waller's *marches*, p. 675, &c. *The Earl of* Eſſex's *march into the* Weſt, p. 677. *The Parliament's Armies marches after the ſecond fight at* Newbury, p. 729

Collonel Marrow *ſlain*, Aug 18. 1644. p. 745

The Battel of Marſton-moor, p. 632, 633, &c.

Martial-Law. *An Ordinance for Executing it*, p. 777. *An additional Article to it*, p. 778

Collonel Maſſey, p 737. *Retreats to* Gloceſter, p. 738. *Takes* Beverſton-Caſtle *in* Wiltſhire, p. 738. *And the Town of* Malmesbury, ibid. Maſſey's *reaſon againſt Plunder*, p. 739. *Takes* Tewksbury, *ibid. Defeats Major General* Myn, p. 740, 741. *Obſtructs the Works at* Beachly, *ibid. Takes* Monmouth, p. 742. Maſſey's *Policy to get the* Welſhmen's *good will*, p. 742. Maſſey *a ſecond time deſtroys the works at* Beachly, p. 743

Proceedings of the Court-Martial, p. 781, 796, 797, 798, &c. 804, 805, &c.

Prince Maurice *beſieges* Lyme, p. 677, &c.

Sir John Meldrum *fights with Prince* Rupert *at* Newark, p. 307. *Takes* Leverpool, *p.* 747

Meſſage, *v.* Declaration. *The Kings Meſſage, that he intends to march to* Brainford, p. 59. *The Parliaments Anſwer*, p. 62. *The King's Reply*, p. 63. *A Meſſage by the King to Prince* Rupert, p. 148, 149. *The Kings Meſſage to the Parliament*, Apr. 12. p. 259. *The Kings Meſſage and Reaſons for his not paſſing a Bill for inforcing the payment of the Subſcription money for* Ireland, p. 318. *The Kings Meſſage for peace*, July 4. 1644. p. 987. *Why the two Houſes return no Anſwer*, p. 688. *The Kings Meſſage from the Parliament from* Taveſtocke, Sept. 18. 1644. p. 712. *The Parliament Vote againſt the direction of it*, p. 712

Miniſters. *Order of the Houſe of Commons concerning ſcandalous Miniſters*, p. 360. *A Petition from divers Miniſters of* London *to the Parliament*, Sept. 18. 1644. p. 780

Montgomery-Caſtle, p. 747

Collonel Monk *taken Priſoner at the Fight near* Nantwyche,

Nantwyche, p. 302. *Sent up to* London, *and committed to the* Tower, *&c.* p. 303. *Takes up Arms for the Parliament,* ibid.
Monmouth, *taken by* Maſſey, p. 742. *Retaken for the King,* p. 744
Montroſs *Impriſon'd. Releaſed. Waits upon the Queen. His Advice.* Hamilton *oppoſes his Council,* p. 980. *Comes again into* England. *Imploy'd by the King in* Scotland, p. 981. *A conference betwixt him and the Marqueſs of* Newcaſtle, p. 982. *Takes* Dumfreize, *ibid. Forced back into* England, *ibid. Returns privately into* Scotland, *ibid. Begins a War there,* p. 983. *His Victory at* Perth, Sept. 1. 1644. p. 983. *His Victory at* Aberdeen, Sept. 12. 1644. p. 983. *Routs* Argyle *at* Innerlogh, p 985.
Major Myn *taken,* p. 739. *Defeated and ſlain,* p. 740, 741.

N.

NAntwyche, p. 301
The Siege of Newark *begins* March 2. 164$\frac{3}{4}$. p. 304. *A Remonſtrance to the King from the Garriſon of* Newark, p. 305. *Prince* Rupert *ordered to relieve it,* p. 306. Newark *relieved,* p. 308
Newbury-*fight,* p. 293. *The ſecond Battel at* Newbury, p. 721
Newcaſtle, p. 117. p. 612, 613. *Skirmiſhes near* Newcaſtle, p. 614
The Earl of Newcaſtle *begins his march,* p. 77. *A diſpute between his and the Lord* Fairfax's *Forces at* Ferry-bridge, p. 78. *The Earl of* Newcaſtles *Declaration concerning his march into* York-ſhire, p. 78, 79, &c. *A Declaration of the Earl of* Newcaſtle's *in anſwer to the aſperſions caſt upon him by the Lord* Fairfax, p. 133. *The Lord* Fairfax's *Anſwer,* p. 139. *The Earl of* Newcaſtle *made a Marqueſs,* p. 280. *He marches after the* Scots, p. 615. *Returns to* York, p. 620. *The* Scots *and Lord* Fairfax *joyn their Armies, and beſiege him there,* ibid. *The Duke of* Newcaſtle's *life,* p. 632. Newcaſtle *taken by the* Scots, p. 645, &c. *to the end of the 15th Chapter.*
Newnham *taken,* May 8. 1644. p. 738
Neutrality, v. Cheſhire.

O.

LOrd Ogleby *taken by the Parliament,* p. 745
An Ordinance or Declaration of the Lords and Commons, that their Forces march to their Rendezvous, Sept. 23 1642. p. 19, 20. *The Parliaments Order to raiſe Dragoons,* Sept. 29. 1642. p. 25. *An Order of the Commons againſt ſcandalous Reports,* Oct. 8. 1642. p. 25. *Order of the Commons for ſuch as do good ſervice in* Ireland, Nov. 3. 1642. p. 53. *An Order for the relief of* Mancheſter, Nov. 24. 1642. p. 67. *An Ordinance for Aſſeſſing ſuch as have not contributed towards raiſing Horſe and Arms,* Nov. 29. 1642. p. 71. *The Kings Declaration to all his loving Subjects on occaſion thereof,* p. 73, &c. *An Ordinance of the Lords and Commons for the ſetting forth Ships, to prevent the bringing over Soldiers,* p. 84, 85, &c. *Two Orders of the Commons,* Jan. 16. 164$\frac{2}{3}$. p. 17. *Ordinance for Aſſeſſing Non-Contributors in ſeveral Counties,* p. 118. *Ordinance of Parliament for aſſeſſing Malignants in* Somerſet-ſhire, p. 124. *An Ordinance of Parliament, exhorting the Nation to repentance,* Feb. 15. 164$\frac{3}{4}$. p. 141, 142, &c. *Ordinance to put off the Aſſizes,* p. 145. *Order to ſtop Ships,* Feb. 21. 164$\frac{3}{4}$. p. 145. *Order of the two Houſes againſt the Removal of the Term to* Oxford, p. 146, 147. *An Ordinance to raiſe* 34108 l. 13 s. per *Week,* p. 150. *Order againſt Pamphlets,* p. 151. *Ordinance for fortifying the City,* March 7. 164$\frac{3}{4}$. p. 151. *Ordinance for ſequeſtring Delinquents Eſtates,* p. 309. *An Ordinance for calling an Aſſembly of Divines,* p. 337. *Ordinance of the Lords and Commons for aboliſhing all Monuments of Superſtition and Idolatry,* p. 358. *Ordinance to prevent the coming over of the* Iriſh *Rebels,* p. 359. *Ordinance for ſeizing the Kings, Queens, and Princes Revenue,* p. 361. *Ordinance for* Eſſex's *Army,* p. 748. *Ordinance for ſparing one meal a Week,* p. 748. *Ordinance touching* Brereton, *ibid. Ordinance for* Wallers *Army,* p. 749. *Ordinance for obſervation of the Lords day,* p. 749. *Divers other Ordinances,* p. 749, 750, 751, 752, 760, 761, 762. *Ordinance for Excluding* Members *that have deſerted the Parliament,* p. 762. *Ordinance for Turf to ſupply* London *with Firing,* July 20. 1644. p. 770. *An Ordinance for Executing Martial Law,* p. 777. *Several Ordinances,* p. 779, 781, 782. *Ordinance againſt giving Quarter to the* Iriſh, p. 783. *Other Ordinances,* p. 783, 816. *Ordinance of the Lords and Commons, for the better obſervation of* Chriſtmaſs, p. 817. *Ordinance for aboliſhing the Book of Common-Prayer,* p. 839
Oſwalſtree *taken by the Earl of* Denbigh, June 23. 1644. p. 744. *Beſieged by Collonel* Marrow, p. 745. *Relieved by Sir* Thomas Middleton, p. 745
Oxford. *The whole proceedings of, and relating to the Lords and Commons Aſſembled at* Oxford, *the 22d. of* Jan. 164$\frac{3}{4}$. *to the time of their Receſs,* April 16. 1644. *the fifth Chapter,* p. 559, &c.

The

The Kings Proclamation for the Members to Aſſemble at Oxford, p. 559. *The Kings ſpeech to them*, p. 560. *A Letter from the Lords at* Oxford *to the* Scots, *ſhewing how few Peers were left at* Weſtminſter, p. 561. *The* Scots *Anſwer*, p. 563. *Votes at* Oxford, p. 564, 565. *The Kings ſpeech to the Lords and Commons at* Oxford, Feb. 7. 164$\frac{3}{4}$. p. 565. *A Declaration of the Lords and Commons of Parliament at* Oxford, *of their proceedings touching a Treaty for Peace*, p. 566, 567, 568, &c. *A Declaration of the Lords and Commons at* Oxford, *touching the reaſons enforcing their abſence from* Weſtminſter, p. 582, &c. *Their Petition to the King the day before the receſs*, p. 597. *The Kings anſwer*, p. 599. *The Kings ſpeech to them at the time of their receſs*, Apr. 16. 1643. p. 601. *An Order of Parliament for the removal of Recuſants and Cavaliers Wives, and ſuſpitious perſons*, May 15. 1644. p. 669

xvi

P.

PApiſts. *The Papiſts of* Lancaſhire *Petition to be Armed*, p. 49. *The Kings Order for Papiſts to provide Arms*, p. 50
The Kings offer of pardon to the Rebels, Apr. 18. 1643. p. 315. *A Proclamation to prevent Plundering*, p. 315, 316. *The Kings Proclamation for relieving wounded Soldiers*, p. 316, 317. *A Proclamation againſt the Oppreſſions of the Clergy*, p. 319. *The Kings Proclamation*, June 20. 1643. *not to obey the Orders of both Houſes*, p. 331. *The Kings Proclamation forbidding Trade with* London, p. 343. *The Kings Proclamation forbidding Rents to be paid to any in Rebellion*, p. 364. *A ſecond Proclamation forbidding Trade with* London, p. 365. *A Proclamation for all the Kings Servants to attend his perſon before the 20th. of* April, 1644. p. 663. *The Kings Proclamation for the Countries bringing in their Corn and Hay to* Oxford, p. 664. *The Parliaments Declaration concerning it*, p. 665. *Proclamation againſt ſwearing*, p. 666. *A Proclamation for Proroguing the Aſſembly of the Lords and Commons at* Oxford, Sept. 21. 1644. p. 714, 715
The Parliaments Declaration and Proteſtation *to the Kingdom, and the whole World*, p. 26, 27, &c.
Pembridge-Caſtle *taken for the King*, p. 744
A Petition of the Lords and Commons ſent to the Earl of Eſſex, *and by him to be delivered to the King*, Sept. 16. 1642. p. 18. *Petition of the* Lancaſhire *Papiſts*, p. 49. *Petition of both Houſes to the King, to return to his Parliament*, p. 65. *The Kings Anſwer*, ibid. *A Petition from the Mayor, Aldermen and Commons of* London, *to the King*, p. 110. *The Kings Anſwer*, ibid. *Read in* Guild-hall, London, p. 113. *Speeches made by Members of both Houſes thereupon*, p. 113, 114, &c. *The* Somerſet-ſhire *Petition to the King*, Octob. 9. 1644. p. 717 *The Kings Anſwer*, ibid. *The* Somerſet-ſhire *Petition to the Parliament*, p. 718. *The City of* London's *Petition to both Houſes*, May 16. 1644. p. 758. *The Commons Anſwer*, p. 759. *The Petition of divers* London *Minſters to the Parliament*, Sept. 18. 1644. p. 780, &c
Francis Pitt *condemn'd by the Court-Martial*, p. 781
Plimmouth, p. 297, 712, 713
An attempt to betray Pool, *and the Earl of* Crawford *defeated therein*, p. 256
The Prince Elector Palatine *comes into* England, *and to the Parliament*, p. 713. *The Parliaments Meſſage to him*, Sept 2. ibid. *His Anſwer*, ibid. *The Kings Letter to him*, p. 714.
Printing. *An Order for Regulating* Printing, p. 335
The Kings Proclamation of Pardon to the Cities of London *and* Weſtminſter, Octob. 27. 1642. p. 51. *The Proclamation of pardon to the County of* Kent, Nov. 8. 1642. p. 54. *The like to other Counties*, p 55. *A Proclamation for the better Governing His Majeſties Army*, Nov. 25. 1642. p. 67, &c. *The Kings Proclamation for a free paſſage to* London, Dec. 8. 1642. p. 83. *The Kings Proclamation*, Dec. 16. 1642. *prohibiting the payment of Cuſtoms*, &c. *upon a late Ordinance of both Houſes*, p. 87. *The Lords and Commons Anſwer thereunto*, p. 88, 89. *The Kings Proclamation for adjourning part of* Hillary Term, 1642. p. 98, 99. *The Kings Proclamation*, Jan. 2. 164$\frac{2}{3}$. *about a* Spaniſh *Ship*, p. 102. *The Kings Proclamation againſt Aſſociating*, Feb. 16. 1642. p. 143. *A Proclamation for the payment of* Cuſtoms, p. 146. *The Kings Proclamation againſt paying Taxes to the Parliament, and againſt Sequeſtration*, Apr. 7. 1643. p. 313
Propoſitions relating to the Oxford *Treaty*, v. p. 165, 166, &c. *Propoſitions for Peace Voted to be prepared*, Apr. 15. 1644. p. 750. *Tranſmitted to the Lords*, p. 779
Mr. Pym's *Speech at the* Guild-hall, London, *upon reading the Kings Anſwer to the* London *Petition*, p. 113, 114, &c. *His Death*, p. 376. *His Declaration publiſhed by himſelf*, p. 376, 377

Q.

THE *Queen Lands in* England, p. 156. *The Lord* Fairfax's *Letter to her*, ibid. *The Queen proteſts againſt the States for ſtopping one of her Ships*, p. 163. *The Queens marches*

marches from York, p. 274. *Some paſſages of a Letter from her to the King from* Newark, p. 274. *The Queen Impeached*, p. 321. *His Majeſties Letter to Duke* Hamilton *upon that ſubject*, p. 321, 322. *The Queen leaves* Oxford, *and goes into the* Weſt, p. 665. *The Queen leaves* England, p. 684. *and Lands at* Breſt, ibid.

R.

THE taking of Reading *by* Eſſex, p. 265. *Articles for the ſurrender of it*, p. 266. Fielding *condemn'd for ſurrendring it*, p. 267. *The Kings Proclamation touching the Articles for the ſurrender of* Reading, p. 267. Reading *quitted by the King, and the Works ſlighted*, May 14. 1644. p. 667

Ordinance *for ſeizing the Kings, Queens and Prince's* Revenue, p. 361, 362

Prince Rupert, p. 148, 149, 306. *The Fight between him and Sir* John Meldrum *at* Newark, p. 307. *Takes* Stopworth *in* Cheſhire, p. 623. *and* Bolton *in* Lancaſhire, *ibid. and* Leverpool, p. 624. *Relieves* York, p. 631, 632

S.

SAlt-Aſh, p. 716

Scarborough *recovered to the Parliament*, p. 265

Scots *and* Scotland. *Paſſages relating to the* Scots, *in the years* 1642 *and* 1643, *and Tranſactions both of the King and Parliament with them, until the advance of their Arms into* England, Jan. 15. 164$\frac{3}{4}$. vid. Chap. 12. p. 387, &c.

The Anſwer of the General Aſſembly of Scotland, *to the Declaration of the Parliament of* England, Aug. 3. 1642. p. 387, &c. *The Parliaments Approbation of the* Scots *Declaration for a mutual Reformation*, p. 390, &c. *The Kings Letter to the Council of* Scotland, Aug. 26. 1642. p. 393. *The two Houſes Declaration to the Subjects of* Scotland, Nov. 7. 1642. p. 393. *His Majeſties Meſſage to his Privy-Council of* Scotland, *upon occaſion thereof*, p. 395. *Both debated in the Council of* Scotland, p. 397. *The* Scots *propoſe a Mediation*, p. 397. *The King denies a ſafe conduct*, p. 398. *yet afterwards grants it*, ibid. *The Commiſſioners Names*, p. 399. *The ſeveral papers preſented to the King by the* Scots *Committee at* Oxford, *in* Feb. 1642. *with the Kings Anſwer*, p. 399, 400, &c. *The Commiſſioners not being admitted to go to* London, *return into* Scotland, p. 406. *A Petition from the General Aſſembly of the Kirk of* Scotland, p. 406, 407, &c. *The Kings Anſwer*, p. 459, &c. *A propoſal to put* Scotland *into a poſture of Defence*, p. 463. *The Convention of Eſtates Indicted*, ibid. *The Kings Declaration to all his loving Subjects of* Scotland, p. 463. *The King grants a Convention of the Eſtates, but with a limitation*, p. 466. *Commiſſioners from the Parliament of* England *to* Scotland, ibid. *A Declaration of the Lords and Commons of* England *to the Kingdom and Eſtates of* Scotland, p. 467. *The Conventions Anſwer*, p. 468. *A Declaration of the Lords and Commons of* England *to the General Aſſembly of the Kirk of* Scotland, p. 469, 470. *Their Anſwer*, p. 470, 471. *The General Aſſemblies Reaſons for aſſiſting the Parliament*, p. 472, &c. *A Proclamation proclaimed throughout* Scotland, *for all perſons above ſixteen, and under ſixty years of Age, to appear in Arms*, p. 482, 483. *The Kings Letter concerning it*, p. 484. *Articles between the Parliament and the* Scots, *touching their advance into* England, p. 485, &c. *The* Scots *Declaration touching their intended advance into* England, p. 487. *The* Scots *Declaration touching their preſent Expedition into* England, p. 490, &c. *The Kings Anſwer*, 494, &c. *The Declaration of both Kingdoms, joyn'd in Arms for the Vindication and Defence of their Religion, Liberties and Laws, againſt the Popiſh, Prelatical, and malignant Party*, p. 499, &c. *A Declaration of ſeveral Lords and Gentlemen in* Scotland, *againſt the* Scots *marching into* England, p. 502, 503. *The* Scotch *Army that marched into* England, *their number, their Officers Names, and places whence raiſed*, p. 603, 604, 605. *Their firſt advance from* Berwick *into* England, Jan. 19. 164$\frac{3}{4}$. p. 606 *A Letter from the Committee of both Kingdoms, to the Commanders and Gentry of* Northumberland, p. 606. *The Anſwer*, p. 607. *A Conſult of the* Northumberland *Gentry*, p. 608. *Their farther anſwer*, p. 608, &c. *A Declaration by the Committees of both Kingdoms, touching the Billetting of Soldiers upon the firſt advance of the* Scots *into* England, p. 611, &c. *The Committees of both Kingdoms Letter to the Town of* Newcaſtle, p. 612. *The Towns Anſwer*, ibid. *The* Scotch *Army marches from* Newcaſtle, Feb. 22. p. 614. *They paſs the* Tyne, Feb. 28. ibid. *The Marqueſs of* Newcaſtle *follows them*, p. 615. Scots *take the Fort at* Southſhields, p. 615. *The two Armies face each other*, p. 616. *A Letter from the Committee of both Kingdoms to the Lord* Fairfax, p. 616, 617. *The Lord* Fairfax's *Letter to them*, p. 618. *The* Scots *and Lord* Fairfax *joyn their Armies, and beſiege the Marqueſs of* Newcaſtle *in* York, p. 620. *The* Scots *marches and actions after the taking of* York, p. 645, &c. *to the end of the* 15*th. Chapter.*

The Assemblies Letter to the Kirks of the United Netherlands, 4. Jan. 1644. p. 755, &c. *Passages in or relating to* Scotland, *in the year* 1644. *And the actions of* Montrois *for the King*, chap. 21. p. 980, &c. *Titles of Acts and Proceedings in the Parliament of* Scotland, *begun at* Edinburgh *the 4th of* June, 1644. p. 986, &c.

Seal. *The mischiefs occasioned by carrying away the* Great Seal *from the Parliament*, p. 26. *Votes of the Commons, touching a new Seal*, p. 339. *The mischiefs of carrying away the* Great Seal, *and through the want thereof, delivered at a Conference*, p. 339, 340. *An Ordinance touching it*, p. 341. *The new Seal delivered to the Commissioners*, p. 342

An Ordinance for sequestring *Delinquents Estates*, p. 309

Major-General Skippon, *p.* 704, 705. *Articles betwixt Prince* Maurice *and him*, Sept. 1. 1644. p. 705, &c. Skippon's *Examination*, 23 Sept. 1644. p. 710, 711, *v.* 720, 721, *&c.* 730, 731.

Ordinance *against Spies*, p. 314. *v.* p. 367. Daniel Kniveton *Executed for a Spy*, p. 369. *Another Spy condemned*, p. 370. *A Spy Executed*, Apr. 13. 1644. p. 749

Ordinance *for burning the Book of Sports by the Hangman*, p. 317.

Articles *for the surrender of* Sheffield-Castle, Aug. 10. 1644. p. 642, 643

An Ordinance of the Lords and Commons concerning Stage-plays, Sept. 2. 1642. p. 1

States of Holland. *Some Transactions between the Parliament and them, to prevent their furnishing the King with Arms*, p. 157, 158, 159, &c. *The States Ambassadors acknowledge the Parliament*, p. 764. *Go to* Oxford, ibid. *Return to* London, p. 765. *They have Audience in the Houses*, ibid. *Their Propositions delivered by word of mouth in both Houses*, p. 765. *The Parliaments Answer*, p. 768

The Earl of Stamford *defeated at* Stratton, p. 271 *Articles betwixt Prince* Maurice *and the Earl of* Stamford, *upon the delivery of* Exeter, Sept. 1643. p. 273

Stopworth *in* Cheshire, *taken by Prince* Rupert, p. 623

Syppins *condemned in the Court-Martial*, p. 781

T.

TAunton *taken by the Parliaments party*, p. 685

Order *of the two Houses against the removal of the* Term *to* Oxford, p. 146, 147

Tewkesbury *taken by* Massey, p. 739

Thompkins *and* Challoner. *Their design*, May 1643. p. 322, &c. *Tryed by a Council of War*, p. 325. *Executed*, p. 326. *Their Speeches at the place of Execution*, p. 326, 327

Treaty. *Letters and Answers, Petitions and Answers, in* Nov. 1642. *in order to a* Treaty, p. 56, 57, &c. *Of the proceedings in order to the Treaty at* Oxford; *the particular managing thereof; its breaking without success, and the subsequent Declarations thereupon*, v. chap. 10. *throughout*, p. 164, &c. *The whole proceedings of the Treaty at* Uxbridge. *See* chap. 19. p. 844

Tumults, p. 356, 357

Captain Turpin *hang'd by the Kings party*, p. 685

U.

UNiversities. *A Letter from the Provost-Vice-Chancellor of the University of* Oxford *to their Chancellor*, Sept. 12. 1642. *with his Answer*, p. 11, 12, 13

Votes *in Parliament*, p. 53, 386, 542, 760

W.

WAkefield, p. 268, 262, 270, 271

Waller, *v.* p. 92, 100, 263, 284, 285

Waller, *v.* 328. *His design, together with* Thompkins *and* Challoner. *His Speech in the House of Commons*, p. 328, 329

War. *Battels, Sieges, Skirmishes, and other Military Transactions in the year* 1643. chap. 11, p. 263, *&c.*

Warwick, p. 103

The Earl of Warwick *relieves* Lyme, May 28. 1644. p. 680. *His Letter to the Speaker of the House of Lords concerning it*, p. 680, 681, &c.

Wareham *surrendred to the Parliament*, p. 697. *The Conditions*, ibid.

Westbury *taken*, May *the 7th.* 1644. p. 737

Weymouth *taken for the Parliament*, p. 683

Mr. Whitlock's *account of the* Oxford-*Treaty*, p. 261, &c. *His Speech on the Debate touching Propositions for Peace*, p. 386

The King Imprisons the Lord Wilmot, p. 693. *The Commanders Petition on his behalf*, ibidem. *The Kings Answer*, p. 694. *The Lord* Wilmot's *Charge*, p. 695. *His Answer*, p. 696

Winchester *taken by* Waller, p. 92. *The setting out of* Waller's *Army*, 1644. p. 653. *Their Number and Charge*, p. 653. Waller *defeats the Lord* Hopton, March 29. p. 654. *Returns to* Winchester, p. 655. *Goes to his Army*, May 15. 1644. p. 670. *Forces his way at* Newbridge, p. 671. *Takes* Shudely-Castle, p. 674

The Table.

Waller's *marches*, p. 675. *He is worſted at* Copredy-bridge, p. 676.

Y.

MR. Yeomans *condemn'd for a deſign to ſurprize* Briſtol, p. 153, 154

York *beſieged by the Lord* Fairfax *and the* Scots, *in* 1644. p. 620, &c. *Letters and Propoſitions betwixt the Marqueſs of* Newcaſtle *and the Beſiegers*, p. 624, 625, &c. *A Mine ſprung by the* Scots, p. 631. *The Siege raiſed*, July 1. 1644. p. 631. *Articles for the ſurrender of* York, *after the Battel at* Marſton-moor, p. 638, &c. York *ſurrendred*, p. 640

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